

U.S. DEPARTMENT OF THE TREASURY  
BUREAU OF ALCOHOL, TOBACCO & FIREARMS

TAPE 1x

March 9, 1993

3:10 a.m. - 4:00 a.m.

1 (Tape 1x)

2 WAYNE: -- that we should know --

3 MAX: Um-hum.

4 WAYNE: -- and I hope that you'll have a  
5 chance to go over it. So, just wanted to check the  
6 line and thanks for calling back.

7 MAX: Well, I just wanted to make sure that  
8 you -- whoever was in there that the line was here,  
9 someone was on the other end and someone was concerned  
10 in here.

11 WAYNE: Well, that's, that's, that's great,  
12 and --

13 MAX: You called in one night, we had a  
14 pretty long discussion, I don't know, it was an hour or  
15 more, and we talked for a while. And I thought it was  
16 very informative and, and you, you shared some of your  
17 views and a little bit of Scripture and we talked a few  
18 things of importance to us in very rational and calm  
19 tones. And then you called back a little bit later and  
20 seemed to be really upset.

21 WAYNE: Well, we were upset about the  
22 movement of the Bradleys.

23 MAX: Well, this was during the middle of the  
24 night. Were they moving around during the middle of  
25 the night?

WAYNE: Yeah. It was around 5:30 that

1 morning.

2 MAX: Okay. I couldn't make out -- I mean, I  
3 couldn't in my own mind understand why the fluctuation  
4 -- you know, and I'm 12 miles away so, you know, you  
5 tell me a movement and I don't know about it in advance  
6 and I usually hear it from you people first and then I  
7 have to go, you know, two or three doors down and find  
8 out what's happening to, to, to be even verified even.  
9 So, I didn't know. I was a little bit puzzled by the  
10 change of your --

11 WAYNE: You're saying the negotiators are 12  
12 miles away?

13 MAX: Yeah.

14 WAYNE: All of you?

15 MAX: Yeah.

16 WAYNE: Okay. Well --

17 MAX: So, you know, we're not in those tanks  
18 or we're not in those Bradleys or --

19 WAYNE: You're not --

20 MAX: -- anything that you can see. No,  
21 we're --

22 WAYNE: You're not in the command post?

23 MAX: Well, we're, we're in a command post  
24 but not the one you think of up there. We're over here  
25 at an airport in, in Waco.

WAYNE: Oh, yes.

1           MAX: So, you know, that's why we don't  
2 always know when you call to us about something what  
3 the deal is until we check it out.

4           WAYNE: Okay. Well, we're not that concerned  
5 about what's going on.

6           MAX: Well, I don't think you should be. You  
7 know, there's going to be movement, there's going to be  
8 this vehicle and that vehicle and different things are  
9 going to be happening. But we have an old saying in,  
10 in this organization and I hope you'll stop and  
11 consider it and that is "future behavior is best  
12 predicted by past behavior." And look at this past  
13 week since we've been involved with you, nothing has  
14 happened, and I hope you'll just our future behavior  
15 what you anticipate and expect it to be on that, that  
16 we haven't hurt you, that there may have been some  
17 saber rattling on both sides and some posturing but  
18 nobody's been hurt. The actions have spoken loud and  
19 clear that we want a peaceful settlement to this.

20           WAYNE: Well, I'm, I'm waiting on God for  
21 direction and I think that it's very clear throughout  
22 the prophecies that, that God uses patience to perfect  
23 the saints -- that's in --

24           MAX: Well, I think recently we've been  
25 showing a lot of patience and so in that respect we're  
godly I suppose.

1           WAYNE: Well, James, Chapter 1 says that --

2           MAX: And I think patience is what's going to  
3 help end this situation because God is certainly going  
4 to have use -- utilize patience in some degree to, to  
5 keep people from getting hurt and if we use that  
6 patience then we're working with him on this thing.

7           WAYNE: Yes.

8           MAX: And not being a great scholar, scholar  
9 and not being a great theologian, and I mentioned this  
10 the other night from a person that lives in the day-to-  
11 day real factual world, I just think that there needs  
12 to be some interpretation of what this sign might be.  
13 That you know I have heard the phrase somewhere that  
14 God works in mysterious ways and I don't know -- and  
15 I've also heard somewhere along the way that, that  
16 everybody perceives things religious and sacred through  
17 different eyes and through different hearts and  
18 different minds. And if we are tuned to accepting some  
19 kind of sign, what we can, if someone in there should  
20 decide to lead out to safety or if someone, the right  
21 person would come and meet you would that not be a sign  
22 of some type? For instance, if your -- Joe and Helen  
23 Martin from Newark, New Jersey were here and standing  
24 at the end of the driveway and motioning to you to, to  
25 come out, would that not be a sign of some kind? Would  
you not put faith in that?

1                   WAYNE: Well, Max, I don't have a comment for  
2 you.

3                   MAX: Well, I really wanted one.

4                   WAYNE: I feel that if God asked me to wait,  
5 and you asked me once well, how will I be sure that God  
6 had given the message to David Koresh. Well, how could  
7 a person know as much about God's mysteries as he does,  
8 open up vast areas of knowledge about the Scriptures as  
9 he has and not be able to communicate with God?

10                  MAX: Does, does, does that process shut off  
11 your communication with him? Again, I'm, I'm sorting  
12 acting as a, you know, an observer in this thing. But  
13 does that automatically shut off your interpretation?

14                  WAYNE: My interpretation really doesn't  
15 matter.

16                  MAX: Oh, really?

17                  WAYNE: Listen, listen. Isaiah 50 --

18                  MAX: I got a hard time with that one.

19                  WAYNE: Isaiah 50 verse 10 says. "When God's  
20 servants are in darkness...."

21                  MAX: Well, I just -- it's so conflicting to  
22 me. It's, it's one day it's one thing and it's the  
23 next day it's the next thing and --

24                  WAYNE: But --

25                  MAX: -- this seems to be whatever, whatever  
serves David's the purpose the best is what it always

1 is. And, you know, from what little I know of it,  
2 it -- I thought it was supposed to be more of an equal  
3 situation, that everybody had their own, own line in if  
4 they wanted it.

5 WAYNE: That's a promise. That's a promise  
6 in the Scriptures. However, at this time, Isaiah 50  
7 verse 10 is my position and --

8 MAX: Can you tell, tell me without a verse?

9 WAYNE: It says, well, who is there that  
10 obeys God's servant and walks darkness and has no  
11 light.

12 MAX: That means that everybody's got to  
13 listen to David?

14 WAYNE: Let him put his trust in the Lord.

15 MAX: Well, I really wish there was as much  
16 confusion in there about what's going on as there was  
17 in my mind and, and in the people out here. We  
18 can't -- from the articles we read and the people we  
19 interview and from people who used to be in there and  
20 came out --

21 WAYNE: Well --

22 MAX: -- really, honestly, we can't, can't  
23 see how this situation is, is, is continuing the way it  
24 is and under these circumstances that it has and with  
25 people under the influence that they're under and that  
the cause is that orthodox and that proper and that

1 | religious.

2 |           WAYNE: Well, it is a mystery how so many  
3 | dumb people that are brainwashed and unable to think  
4 | for themselves are able to reach such a consensus on  
5 | what the Scriptures teach. That's, in the words of  
6 | Bob, unusual. But we're learning how to see eye-to-eye  
7 | on the Scriptures. And it's our standard, it's our  
8 | reference. It's a biblical standard and it's what we  
9 | intend to keep and we're -- we feel that as, as  
10 | Americans we have a constitutional right to our  
11 | religious freedom and we're going to keep the Bible.

12 |           MAX: Well, certainly you, you do have those  
13 | rights and the constitution does give them, but it also  
14 | gives the rest of us some and, you know, it doesn't  
15 | give, you know, the, the right to bear certain types of  
16 | arms and, and other things. You know, there are some  
17 | laws of man that enter into it, but, you know, that's,  
18 | that's another issue for another court. The one thing  
19 | that we need to resolve, it has to be resolved here now  
20 | or, or in this time period, this time frame, is getting  
21 | people out of there in a safe manner -- God's going to  
22 | have His way anyway whether you're in there or whether  
23 | you're out here, there's nobody, nothing that any of us  
24 | can do to change it if he's going to have His way. So,  
25 | if you had come into a position --

          WAYNE: (Indiscernible)



1           MAX: -- you know, that everyone could be  
2 safe first in man's world and then, you know, say God's  
3 going to have His way anyway.

4           WAYNE: Well, says the Lord is good and a  
5 stronghold in the day of trouble and knows those who  
6 put his trust in Him in, Nahum, Chapter 1. And we have  
7 a song in Isaiah in Chapter 25 and we have waited for  
8 God, he will save us and we have waited for the Lord.  
9 We will rejoice in His salvation. So, the word is to  
10 wait and that it came from God. And so we're going to  
11 exercise our patience and our faith in this message  
12 from God.

13           MAX: Do you, do you think in all of that  
14 then that everybody who has gone about any type of  
15 religious -- anybody that has gone about accomplishing  
16 any religious goals in the past have gone about it the  
17 wrong way, that they all should have done as you all  
18 have done and prepared as you all have prepared and  
19 challenged the laws that you all have challenged in  
20 order to be right?

21           WAYNE: Well, I'm not commenting on that last  
22 clause, but --

23           MAX: Well --

24           WAYNE: No, no, I'm not.

25           MAX: -- gee, that's what this is all about,  
is, you know, if this is -- you know, is everybody else

1 | wrong because they haven't armed themselves and  
2 | prepared as you have prepared and --

3 |           WAYNE: I'm not commenting about arms. But  
4 | in answer to the first part of your, your question, I  
5 | would say that the dispensation that God has given to  
6 | people in other times has been different. God has  
7 | saved people in different ways at different times.  
8 | Noah's time, people were told to get in the ark;  
9 | Abraham's time, people were told to get out of Sodom;  
10 | in Moses' time people were told to sacrifice the lamb,  
11 | put it on the door post and then the next morning they  
12 | were told to leave Egypt. Now, each time people were  
13 | told a different way to be saved. In our time, we are  
14 | told that there is a certain person that has  
15 | credentials from God and to check it out by hearing  
16 | what he has to say about the seven seals and seeing  
17 | whether it's made plain in the prophecies, and Isaiah  
18 | 55 says that person is our commander, all right? Now,  
19 | the second part of your question is about arms. We've  
20 | talked about that before you and I.

21 |           MAX: Um-hum. Everybody I think that's been  
22 | on either of these telephones has talked about that and  
23 | nobody out here has been able to really understand it  
24 | yet.

25 |           WAYNE: Well --

          MAX: And probably we won't reach an

1 | understanding in this conversation about it, but go  
2 | ahead.

3 |           WAYNE: Well, didn't Christ have a  
4 | conversation with Pilate? That was the government in  
5 | his day 2,000 year ago, and they talked about things  
6 | like truth. What is truth? Well, didn't Christ say  
7 | the truth will set you free? Well, we believe the  
8 | seven seals will set us free. Now, getting back on the  
9 | subject. Talked with Pilate, talked about the kingdom  
10 | and why it wasn't going to be set up 2,000 years ago.  
11 | And you know, we've talked to you about that before.

12 |           MAX: Um-hum.

13 |           WAYNE: Because his servants weren't willing  
14 | to fight for him -- the kingdom would not be set up.  
15 | Earlier that same week, Christ had told his Disciples  
16 | to sell whatever they owned and do what with the money?  
17 | To even borrow. To do what? To buy swords.

18 |           MAX: You know, your phrasing, your, your  
19 | every comment, every sound that you make when get into  
20 | this is exactly parroting David. You stop and you  
21 | pause and you ask the questions the same time he does,  
22 | you quote some of the same verses he does, you stop and  
23 | want us to fill in the blank. It's -- I can't take it  
24 | seriously that it's you believing it because you're --  
25 | it's just an exact tape recording of what David says.  
So, you know, I can't really think that you're in there

1 | in spite of your education, in spite of your  
2 | experience, thinking for yourself.

3 |         WAYNE: Well, well then reason with me a  
4 | little bit. How could I go to the city of Waco,  
5 | practice law, exercise judgment and then come home and  
6 | be totally brainwashed and then the next day go back to  
7 | the city of Waco, practice law, exercise reason and  
8 | judgment no one detecting that I was a moron? Figure  
9 | that out.

10 |         MAX: No, no, I would never --

11 |         WAYNE: No, I resent --

12 |         MAX: -- call anyone a moron.

13 |         WAYNE: -- I resent all of these comments in  
14 | the media about people here not knowing how to think.  
15 | We have science teachers, we have lawyers, we have  
16 | medical people, we have computer engineers.

17 |         MAX: Well, sanity is not always a matter of  
18 | IQ, you know.

19 |         WAYNE: Oh, so I was mentally defective in  
20 | practicing law?

21 |         MAX: No. You mentioned brainwashing.

22 |         WAYNE: Well, what are we talking about?

23 |         MAX: You know, that's, that's an affectation  
24 | of the sanity to --

25 |         WAYNE: Doesn't the brain has something to do  
with the mental health of a person?

1 MAX: At times. But a person on many  
2 occasions -- you're a lawyer so you know, you know,  
3 that you can be -- you can have a severe personality  
4 malformation --

5 WAYNE: An interactive social worker --

6 MAX: -- that will cause, that will cause  
7 crime.

8 WAYNE: -- interactive psychiatrist --

9 MAX: But at the same time you will not be  
10 ruled insane in a court of law. So, we both know what  
11 we're talking about here, David.

12 WAYNE: Well, I've, I've had people --

13 MAX: I'm sorry. I'm used to saying David;  
14 Wayne.

15 WAYNE: Well --

16 MAX: Although you can understand why I made  
17 the mistake too; you sound so much like him. What  
18 shall we tell Joe and Helen Martin? They have  
19 physically called in here, they've made contact with  
20 our agents --

21 WAYNE: I prefer to talk --

22 MAX: -- and they wish to send you a message.

23 WAYNE: I prefer to talk to Joe and Helen  
24 direct.

25 MAX: Um-hum.

WAYNE: I don't think I can trust someone

1 else to talk for me to Joe and Helen Martin.

2 MAX: You have --

3 WAYNE: I don't know that they are doing  
4 okay. I don't know what the government is doing to  
5 them. I don't know what the government is doing to my  
6 family, my friends, my children. I don't know anything  
7 about that and it really gets me angry.

8 MAX: Well --

9 WAYNE: To lose those kinds of rights as an  
10 American --

11 MAX: -- I think you can -- you know, you  
12 know that without me saying it, all you have to do is  
13 come out here and make inquiry.

14 WAYNE: You know that --

15 MAX: And it will be simple enough to find  
16 out. You will have --

17 WAYNE: You know that the --

18 MAX: -- thousands of news media wanting to  
19 answer the same questions that you ask and they'll dig  
20 for answers --

21 WAYNE: The government tried to kill --

22 MAX: -- and the government and the court  
23 will dig for answers.

24 WAYNE: -- all of the people in this  
25 building. The government has tried to kill all of the  
people in this building and then you tell me we should

1 | surrender to you, the same government without any  
2 | observers?

3 |           MAX: You are a lawyer.

4 |           WAYNE: I've seen --

5 |           MAX: You're discrediting yourself by that  
6 | statement.

7 |           WAYNE: I've seen the evidence around this  
8 | building and you've said you planned it for months.  
9 | You had plenty of opportunity to serve a warrant in a  
10 | different way. You should have a siege. You, you  
11 | avoided all those options and you went for  
12 | assassination.

13 |           MAX: Not me.

14 |           WAYNE: Well, I'm no, I'm not saying you  
15 | personally.

16 |           MAX: And you look at it. You, you are --  
17 | you in some circles are an officer of the court.

18 |           WAYNE: In some circles?

19 |           MAX: Yeah.

20 |           WAYNE: You question my credentials?

21 |           MAX: No. I just don't know what court  
22 | you're qualified to teach -- to --

23 |           WAYNE: Oh, okay.

24 |           MAX: -- to work in, you see? You're  
25 | not --

          WAYNE: Well, I didn't question your

1 credentials.

2 MAX: You're not qualified in all courts I  
3 don't believe.

4 WAYNE: Well, well, I'm not going to comment  
5 on that. I will say --

6 MAX: But, but a court --

7 WAYNE: -- I will say -- I, I, I --

8 MAX: -- qualifying for any court would give  
9 you more knowledge than you're now showing.

10 WAYNE: I will say, I will say that I have  
11 successfully won an appeal in the U.S. Supreme Court,  
12 an honor that not many lawyers have accomplished within  
13 the first three years of their practice, maybe not in  
14 their total practice. But I have that opinion in my --

15 MAX: Congratulations.

16 WAYNE: -- file cabinet and it's signed by  
17 Judge Scalia. So, if you want to question abilities to  
18 practice law while under a severe mental defect, then  
19 find me an example. You say --

20 MAX: Then you know the system works.

21 WAYNE: I know the system --

22 MAX: Then you know the legal system works.

23 WAYNE: -- how it works. I, I wouldn't say  
24 it works. I know how it works.

25 MAX: Do you know what power the legal system  
combined with the media have?



1           WAYNE: I'm not impressed with man's power.  
2 Man's, man's breath is in his nostrils. Do you know  
3 what that means?

4           MAX: You spoke a few minutes ago, you spoke  
5 a few minutes ago that you would not get a fair shake  
6 out here, that people --

7           WAYNE: It means --

8           MAX: -- were going to finish killing you or  
9 whatever, and I just wanted you to realize that in your  
10 own mind you knew that was not true, you're an officer  
11 of the very system you're accusing of doing that.

12          WAYNE: The evidence shows that the  
13 government tried to assassinate all of the people in  
14 this building.

15          MAX: It shows no such thing. You could not  
16 prove that in any court, much less from in there.

17          WAYNE: Well --

18          MAX: You got to come out here and prove it.  
19 You got millions of people who would listen to that.

20          WAYNE: I don't have to come out there and  
21 prove anything.

22          MAX: You should. If you believe that  
23 strongly about it you should.

24          WAYNE: I don't have to.

25          MAX: It's your duty. It's your obligation.  
As, as a lawyer, as an officer of the court, if you

1 | know of something, that that was wrong -- that wrong  
2 | that was done, it's your obligation, it's your sworn  
3 | obligation to come out and do something about it, is it  
4 | not?

5 |           WAYNE: It is not my duty --

6 |           MAX: Sure it is.

7 |           WAYNE: It is not my duty to walk out and be  
8 | slaughtered by the government.

9 |           MAX: By a system that you've sworn to be a  
10 | part of? No, that's not going to happen. You know  
11 | better than that, Wayne. You have relatives that are  
12 | in this very system in law enforcement. Now, come on,  
13 | put the right hat on and get out of there. How about  
14 | Sheila? How's she doing?

15 |           WAYNE: Ask her.

16 |           MAX: She's the one you're in there for. I  
17 | think you owe it to her to bring her out of there.

18 |           WAYNE: Ask her.

19 |           MAX: Where is she? Is she there with you?  
20 | Where is she?

21 |           WAYNE: I'm alone. There's nobody with me  
22 | right now.

23 |           MAX: Then where is Sheila?

24 |           WAYNE: She's in the building.

25 |           MAX: Where is she in the building?

          WAYNE: I wouldn't tell anyone where anyone

1 | is in the building. We don't trust you enough. I will  
2 | say that bullets were all around her a week ago, and my  
3 | children. And you can just look at Jamie's face and  
4 | you'll see scars from glass that cut him up.

5 |           MAX: Is she down in David's part of the  
6 | building?

7 |           WAYNE: You know the government did that.  
8 | This is the government you said would not try to wipe  
9 | out --

10 |           MAX: The government will not --

11 |           WAYNE: -- the people in this building.

12 |           MAX: The government will not, the judicial  
13 | system that you work in will not. You know that.

14 |           WAYNE: I don't know that.

15 |           MAX: It's empty.

16 |           WAYNE: I don't know that.

17 |           MAX: It's totally empty. Your argument is  
18 | totally empty. You have no basis for it and you know  
19 | better.

20 |           WAYNE: When, when you use the word totally I  
21 | know you're making an emotional argument.

22 |           MAX: Hey, I'll make any kind of argument to  
23 | get people to safety.

24 |           WAYNE: Don't tell me you'd do anything to  
25 | get us out of here.

          MAX: I said I would make any kind of

1 argument to make -- to get peoples' safety. And I'll  
2 do anything within reason.

3 WAYNE: How about the truth?

4 MAX: I'll do anything within -- truth, sure.

5 WAYNE: Well, go have a press conference and  
6 tell the truth. Tell the truth about what happened out  
7 here --

8 MAX: You've got such a --

9 WAYNE: -- and then we'd have confidence to  
10 talk to you.

11 MAX: We have done the best we can, all  
12 right? We tell the truth as we know it --

13 WAYNE: You know, I can't believe --

14 MAX: -- as investigation and facts at our  
15 disposal, as affidavits filed in your court, say the  
16 truth is.

17 WAYNE: When the press asks for the  
18 affidavits, you say they're sealed.

19 MAX: Now, you sit in there, you sit in there  
20 in your very strict little environment, in your bubble,  
21 in your cocoon, listening to one voice rattle back and  
22 forth from one chapter to another with an  
23 interpretation that changes --

24 WAYNE: No, that's not true.

25 MAX: -- like the clouds in the sky and you  
talk -- call out here and tell me I'm not truthful,

1 | that I don't know what's going on in this world?

2 |           WAYNE: That's not true.

3 |           MAX: I'd rather read a document out of your  
4 | court --

5 |           WAYNE: We have never been, never been in a  
6 | cocoon.

7 |           MAX: -- than listen to you interpret  
8 | something -- to David -- somebody interpret out of a  
9 | Bible.

10 |           WAYNE: We have never been in a cocoon.

11 |           MAX: Sure you have.

12 |           WAYNE: No, we haven't.

13 |           MAX: And I can see how it would be upsetting  
14 | to have to come out of that environment. I can see how  
15 | this -- how it's threatening out here and how you have  
16 | so much invested in it --

17 |           WAYNE: Max, you have an investment and you  
18 | are counting the costs of accepting the truth or  
19 | holding onto what you have, your car, your job, your  
20 | pension, your wife, your kids, you think these things  
21 | are things that should come ahead of what the  
22 | Scriptures tell you to do which is to seek the Kingdom  
23 | first.

24 |           MAX: Look, if I'm wrong it's going to be me,  
25 | if you're wrong it's going to be you and Sheila and  
   | that whole group in there is in danger. I'm asking you

1 to come out and be in a safe situation.

2 WAYNE: You're asking me to gamble.

3 MAX: Yes, but the odds are on your side and  
4 you know it. You're a part of the system this system  
5 that makes it work. You're --

6 WAYNE: I don't feel lucky. I just don't  
7 feel lucky.

8 MAX: I know what you have on the line,  
9 Wayne. I know that you've got a lot of time,  
10 reputation, ego, prowess, whatever, invested in this.  
11 And money, you've poured lots of money down this hole.  
12 And it's got to work or things don't look good, things  
13 look very bleak. But it's fallen apart, it's not  
14 working. Stop and look around you. Listen to the  
15 things that you're saying. Weigh them in the judicial  
16 sense. Put then on the Harvard-educated scale that you  
17 have somewhere in your mind. Put some facts to it and  
18 see that you can start over, that it's worth  
19 rebuilding. Don't let them take it all from you, don't  
20 lose it all. It'll be bumpy for a while, there will be  
21 some problems, there will be some things to overcome.  
22 I know you didn't go in there in a split second and you  
23 may not come out in a split second, but start thinking  
24 what's at stake here and that you can start over and  
25 that you can save some things that you thought might  
have lost and you can regain some things you did lose.

1 | People out here care about you. People out here are  
2 | worried about this situation you and all your, your  
3 | children are in. What more can I say?

4 |           WAYNE: Something from the Scriptures.

5 |           MAX: No, no.

6 |           WAYNE: Anything from the Scriptures, Max.

7 |           MAX: No, that's -- you turn to Scriptures  
8 | when, when there's -- you, you can't think of any  
9 | logical reason to think on your own.

10 |           WAYNE: You think the Scriptures are  
11 | illogical?

12 |           MAX: No, you can't -- you turn to the  
13 | Scriptures when you can't think of anything for  
14 | yourself to say. You go to the Scriptures and remember  
15 | what David said about them. If you were interpreting  
16 | that would be different, but you're not. Would you let  
17 | somebody else totally interpret and brief a case and go  
18 | to trial on it? No. But that's what you're doing with  
19 | your life here.

20 |           WAYNE: David has credentials. I've checked  
21 | his credentials. Have you checked his credentials?

22 |           MAX: Do you -- how do you measure  
23 | credentials? In the amount of money he's taken from  
24 | people like yourself --

25 |           WAYNE: When he's shared things with you that  
no one ever --

1           MAX:  -- from the number of wives he's taken  
2 from people, from the number of motorcycles parked in  
3 his shed, from the number of sports he drives or  
4 guitars that he paints?

5           WAYNE:  Well, maybe you want me to just, just  
6 drop in and talk with him for an hour each week and  
7 then for the rest of the week do my own thing.

8           MAX:  I don't think it would be advisable to  
9 drop in and talk to him for an hour.  I think it's  
10 advisable to drop back into your own reality and  
11 realize what's important, what direction you're headed,  
12 what you're leaving behind, what you're turned your  
13 back on and collect up what's important to you and get  
14 back out into the world and work for yourself; set your  
15 own goals, have your own ambition, spend your own  
16 money --

17           WAYNE:  And save how many souls?

18           MAX:  -- and, and take your own wife home  
19 with you in the evening.

20           WAYNE:  And save how many souls?

21           MAX:  Yours and your family's for sure.

22           WAYNE:  For how long?

23           MAX:  For as long as you want.

24           WAYNE:  (Laughter)

25           MAX:  Would you as an attorney introduce  
David on the stand as an authority on something --



1 WAYNE: Max, you find me anybody --

2 MAX: -- as a factual witness?

3 WAYNE: You find me anybody that can help my  
4 son Jamie besides David Koresh.

5 MAX: What's he done for him so far?

6 WAYNE: Find me anyone that can help Jamie.

7 MAX: What's he done for him so far?

8 WAYNE: Well, all you've done is make  
9 promises.

10 MAX: What has David done for him so far?  
11 What's he done for Sheila?

12 WAYNE: He's given me a truth from Isaiah 35.  
13 That's going to help Jamie. Now, what can the doctors  
14 give me, huh?

15 MAX: I'm not saying that there are no  
16 crosses --

17 WAYNE: You think I'm here because --

18 MAX: -- to bear out here in the real world.

19 WAYNE: -- it's illogical -- you say it's  
20 illogical, you're saying it's not reality, you're  
21 saying the odds against me, you're saying that I'm not  
22 thinking.

23 MAX: Um-hum.

24 WAYNE: And I just tried to reason with you.  
25 I said give me something for Jamie. Give me anything  
for him. David Koresh has given me Isaiah 35. What,

1 | what can you offer?

2 |           MAX: It's always been there. He didn't give  
3 | it to you.

4 |           WAYNE: You can't give me anything for him,  
5 | not a thing.

6 |           MAX: How about the children that you have  
7 | released out here? Who's going to care and take care  
8 | of them? Is it any way significant to you that the  
9 | only children --

10 |           WAYNE: (Indiscernible)

11 |           MAX: -- released from there were not David's  
12 | biological children? Is that significant?

13 |           WAYNE: God will take care of them.

14 |           MAX: I think he's going to take care of all  
15 | of us regardless of what we as individuals do, and I  
16 | see you in some physical and emotional danger. And  
17 | let's, let's relieve that situation and then God will  
18 | do what he wants to do with any and all of us anyway.

19 |           WAYNE: Read Psalms 8. David has asked you  
20 | to read Psalms 8. It's about the children. Read, read  
21 | Isaiah 49. It's about the children. You don't need my  
22 | interpretation. Just read those.

23 |           MAX: I, I don't really think you have any  
24 | anyway, David -- Wayne. You don't have any  
25 | interpretations; you're giving me David's.

          WAYNE: Actually, I don't mind you saying

1 | that.

2 |           MAX: Do you have anything special that you  
3 | would like for us to say for these -- to these people  
4 | who are calling, Joe and Ellen --

5 |           WAYNE: Yes.

6 |           MAX: -- and the Greenwoods (phonetic sp.).

7 |           WAYNE: I'd like you to tell them that, that  
8 | I'd like to talk to them.

9 |           MAX: That's easy enough. I'm sure that they  
10 | would like to talk with you. I'm sure that they would  
11 | like to be assured that someone is going to take care  
12 | of the children.

13 |           WAYNE: When our telephones were cut I was  
14 | talking to my family.

15 |           MAX: I'm sure that they are wondering -- I  
16 | know that they were wondering how the children out here  
17 | are going to exist without you and Sheila's help, and  
18 | why you're doing that to them.

19 |           WAYNE: Well, I'm not doing that to them.  
20 | You're doing that to them. The agreement was --

21 |           MAX: It's your choice not to be --

22 |           WAYNE: The agreement was that you would  
23 | allow the children to go to their relatives. You're  
24 | doing that to them. One day the truth will be know.

25 |           MAX: They need to be with their parents. We  
both know that.

1           WAYNE: I'm telling you that the truth will  
2 be known.

3           MAX: They need to be with their parents.  
4 You are afraid to leave, you know that. You're an  
5 attorney, you've practice in the courts, you've told me  
6 how assured you are in that profession and I believe  
7 you. And I believe you equally know that your rights  
8 will be protected if you come out, that you will have  
9 all the freedoms that anyone else in this country has  
10 when you come out of there.

11           WAYNE: The people in this building have had  
12 their constitutional rights trampled on. Now, let me,  
13 let me, let me --

14           MAX: That, that is -- there is a remedy for  
15 that in your system is there not?

16           WAYNE: We are being treated as fugitives and  
17 there are no charges filed against us.

18           MAX: The system that you work for and have  
19 taken an oath to uphold has remedies for that  
20 situation. Come out --

21           WAYNE: We have --

22           MAX: -- and help it be investigated.

23           WAYNE: We have a right to counsel. 6th  
24 Amendment.

25           MAX: Come out and have it.

          WAYNE: We have a right to jury trial, 7th

1 | Amendment.

2 |           MAX: Come, come out and have it.

3 |           WAYNE: What? As dead bodies?

4 |           MAX: No. Nobody's going to kill you, you  
5 | know that, come on out.

6 |           WAYNE: We have a right to search and --  
7 | reasonable search and seizure.

8 |           MAX: If it's signed by a judge it's  
9 | reasonable.

10 |           WAYNE: You can't serve it with blazing guns.

11 |           MAX: Come out and let your story be told.

12 |           WAYNE: We have a right to keep and bear  
13 | arms.

14 |           MAX: You're a lawyer. You can have any  
15 | other lawyer of your choosing to defend you or to bring  
16 | suit.

17 |           WAYNE: We have a right to a free press.

18 |           MAX: It's waiting out here for you. Come  
19 | on.

20 |           WAYNE: Yes, it's called the BBC. Not a  
21 | single American media is worth calling it media  
22 | anymore. But nevertheless, you're blocking us from the  
23 | BBC. And we have a right --

24 |           MAX: Come out and hold a press conference.

25 |           WAYNE: -- to religious freedom.

          MAX: Nobody's ever questioned that.

1           WAYNE: Now, since you won't honor our rights  
2 now, why should we trust you in the future?

3           MAX: Look, you're a member of this system.  
4 You don't have to have me answer that. You know far  
5 more about law and rights than I do. You work in the  
6 courtroom every day. You don't have to pose those  
7 questions to me.

8           WAYNE: Max --

9           MAX: You're playing a game with me just by  
10 asking --

11          WAYNE: Okay.

12          MAX: -- because you know --

13          WAYNE: Let's --

14          MAX: -- you told me what a functioning  
15 lawyer you were, you know the answers to those  
16 questions, you get up and argue them in the court.

17          WAYNE: Let's play another game. Tell me  
18 about this new world order.

19          MAX: New world order? Well, give me a hint.

20          WAYNE: No.

21          MAX: You're not starting off on seven-  
22 somethings are you? I don't want to go into sevens  
23 anything.

24          WAYNE: There's money in your pocket. Tell  
25 me about it. Here you are, an agency of the government  
that doesn't even follow its own laws; tell me about

1 the new world order. Who do you answer to? What laws  
2 do you follow?

3 MAX: You know that as well as I do. You  
4 don't have to ask. You know how the judicial system  
5 and the government system is constructed. You could  
6 probably go over to your closet and crack a book and  
7 get the answer in a second. You are -- anything that  
8 you ask me about the system you're, you're being  
9 facetious because you know. If you would stop and  
10 examine, you know.

11 WAYNE: I know what the Bible says about it.  
12 I know --

13 MAX: That's not the question that you're  
14 asking about.

15 WAYNE: -- it's Daniel Chapter 11.

16 MAX: You're not, you're not asking if the  
17 question is about the Bible, you're asking questions  
18 about your rights in the constitution and all that and  
19 you know those as well as you profess to know the  
20 Bible. Or you know those as well as David has taught  
21 you the Bible.

22 WAYNE: It says, "King of the North tries to  
23 enter into God's Kingdom using flatteries, using deceit  
24 and also using its might and its power."

25 MAX: You're afraid to leave and you're  
choosing not to. Is that correct? I want to get this,

1 | you know, on a factual basis here. Is that correct?

2 | You, you do not wish to leave, you do not wish to  
3 | locate your wife and, and bring her out with you?

4 |           WAYNE: I choose to wait for God.

5 |           MAX: Okay, and in what way do you think is  
6 | God going to give you the answer? Do we have any idea  
7 | of that?

8 |           WAYNE: I believe God will act according to  
9 | one of the prophecies. I'm not saying which one.

10 |           MAX: Oh, you're not?

11 |           WAYNE: No, I'm not.

12 |           MAX: Why is everybody keeping that such a  
13 | secret from us?

14 |           WAYNE: Well, why don't you come and join us  
15 | and we'll give you a class --

16 |           MAX: No, why don't you come and join us?  
17 | Why don't you come and join us?

18 |           WAYNE: We'll give you a Bible study. We'll  
19 | give you safe harbor, safe conduct, whatever you want.  
20 | We're --

21 |           MAX: Well, that's the same thing I'm  
22 | offering you.

23 |           WAYNE: We're trustworthy. Didn't we give  
24 | Robert Gonzalez many a Bible study --

25 |           MAX: Haven't we treated all your children  
properly? Hey, everything you're saying about yourself



1 | you know goes true for us too.

2 |           WAYNE: I don't know. Those still  
3 | photographs, they're not very reassuring.

4 |           MAX: Well --

5 |           WAYNE: (Indiscernible)

6 |           MAX: -- we sent a tape -- that videotape in  
7 | there and it was working when we sent it in. You  
8 | should have been able to tell from that.

9 |           WAYNE: Has the government run out of  
10 | videotape?

11 |           MAX: What do you mean by that?

12 |           WAYNE: Send another.

13 |           MAX: Why? Just to have it erased by  
14 | somebody that doesn't want you to see it?

15 |           WAYNE: You know, I hadn't thought of that.

16 |           MAX: Well, it's about time you started  
17 | thinking. It really is. Don't you have a relative  
18 | that belonged in the FBI for a while?

19 |           WAYNE: I don't know.

20 |           MAX: A cousin?

21 |           WAYNE: I don't know that it would be wise  
22 | for me to talk to you about that. Is this what,  
23 | psychological pressure?

24 |           MAX: No, it's a question.

25 |           WAYNE: No, no, it's pressure.

          MAX: I was going to ask you next if you

1 | believed him or trust him or thought he was as big a  
2 | crook as you're accusing me of being. Did he do  
3 | something to make you distrust this organization?

4 |           WAYNE: I haven't spoken to that person in  
5 | let's see, 13 years.

6 |           MAX: Was he bad when you knew him then?

7 |           WAYNE: Was he what?

8 |           MAX: Bad.

9 |           WAYNE: (Laughter) He was there.

10 |          MAX: He was there?

11 |          WAYNE: He was there. C'est la vie.

12 |          MAX: Okay, but he didn't do you anything --  
13 | didn't do anything to make you believe that the FBI was  
14 | a gestapo-like agency or something did he? I would  
15 | hope that he would have given you some positive thought  
16 | about us.

17 |          WAYNE: We haven't discussed the FBI.

18 |          MAX: Was he a fair and honest person at  
19 | least?

20 |          WAYNE: I wouldn't know. We sat down, we ate  
21 | some turkey, we watched the Dallas Cowboys on  
22 | television.

23 |          MAX: Well, good for you. Did you root for  
24 | them?

25 |          WAYNE: The Dallas Cowboys?

          MAX: Yeah.

1           WAYNE: Well, yes, I did.

2           MAX: Well, good.

3           WAYNE: And, and that was it. We were just a  
4 typical American family, ignorant about the seven  
5 seals. That's how it was with everybody in 1980.

6           MAX: And you didn't know about the seven  
7 seals, seven seals in 1980?

8           WAYNE: No one knew about them.

9           MAX: All right, and have things gotten worse  
10 up to 1990? I mean, we made it 10 years without the  
11 seven seals. Maybe we can make it 10 more if you'll  
12 come out of there.

13           WAYNE: Who would want to make it without the  
14 seven seals?

15           MAX: Well, I think anybody that, you know,  
16 really cared about their children out here and the rest  
17 of their family and living the rest of their life and  
18 everything.

19           WAYNE: Well, the Bible says the Lord is  
20 good.

21           MAX: I'm not a scholar but I'll believe  
22 that.

23           WAYNE: Romans, Paul says everything works  
24 out just great for those who put their trust in God.

25           MAX: Okay. Do you have your trust in God?  
Then come on out of there and everything will work out

1 good. It's that simple. You just said it. Whatever  
2 you do he's going to look out for you, he's good. Come  
3 on.

4 WAYNE: For those who put their trust in Him.

5 MAX: You have. I'm sure you have. Come on.  
6 I hope you didn't leave it with David though.

7 WAYNE: David has credentials. I've checked  
8 out his credentials.

9 MAX: Well, we never did decide how we  
10 measured his credentials.

11 WAYNE: The whole world can measure his  
12 credentials.

13 MAX: They can measure them any way and then  
14 the sooner we get a good look at them the sooner we can  
15 measure them, right? I think he needs to come on out  
16 and tell the world --

17 WAYNE: I don't --

18 MAX: -- everything that he's now told you  
19 inside there. Share it with all of us.

20 WAYNE: I think you need to leave him alone.

21 MAX: We can't go away and leave him alone.

22 WAYNE: Why?

23 MAX: You know why.

24 WAYNE: Why?

25 MAX: There's a, an affidavit been filed in  
the court, there's a warrant outstanding and it won't

1 go away and it has to be satisfied. You're a lawyer,  
2 you know that.

3 WAYNE: I know that you're not bothering  
4 Caspar Weinberger. The government has left him alone.

5 MAX: Wayne, you are not being reasonable.

6 WAYNE: Look, the Secretary --

7 MAX: I hope you don't go into court and  
8 argue the way that you're arguing with me.

9 WAYNE: (Laughter)

10 MAX: I hope you use a few more factual  
11 references than I have heard.

12 WAYNE: Well --

13 MAX: I hope you don't have David as your  
14 expert witness.

15 WAYNE: In my last trial I went into court  
16 and I argued a discovery motion and I based it on,  
17 let's see, what was it, "My Cousin Vinnie," and I won  
18 the point.

19 MAX: (Laughter.)

20 WAYNE: I won the point.

21 MAX: All right. "Your Cousin Vinnie."

22 WAYNE: "My Cousin Vinnie."

23 MAX: The movie you mean?

24 WAYNE: "My Cousin Vinnie," yes.

25 MAX: The movie?

WAYNE: Yes.

1 MAX: Well, I haven't seen the movie so I  
2 thought you were talking about a relative.

3 WAYNE: Well, the judge had.

4 MAX: Okay. Well, the points can be made I  
5 suppose on anything, but --

6 WAYNE: Even the Bible.

7 MAX: -- most of all, most of all --

8 WAYNE: You can take the Bible to court too.

9 MAX: Most of all, it has to be based on fact  
10 though does it not, the courtroom experience I mean,  
11 and good, solid evidence, and reasonable belief in a  
12 majority opinion. And I think you're suffering a lack  
13 of those things where you are. The argument you're now  
14 putting forth is not held up by those things that, that  
15 traditionally is demanded for reasonable thought and  
16 adjudication. It's not there. It's out here but it's  
17 not in there.

18 WAYNE: Isaiah 59.

19 MAX: Uh-uh.

20 WAYNE: Isaiah 59.

21 MAX: Come on out. Get your head together  
22 and come out.

23 WAYNE: About the condition of the legal  
24 system in the last days. Isaiah Chapter 59.

25 MAX: People are concerned about you out  
here. We'd like to see a good, safe resolution. We'd

1 | like to be able to call these people back and say he  
2 | cares, he's responsive to your concerns, he's coming  
3 | out and he's taking care of his children and he's re-  
4 | entering society, he's re-entering the world. Are we  
5 | going to be able to tell them that?

6 |           WAYNE: Max, I'm concerned about you. It  
7 | seems like you're going contrary to the truth. I'm not  
8 | going to judge you, but you are in the judgment. The  
9 | seven seals is a living judgment.

10 |           MAX: What do you want from me? What do you  
11 | want from us --

12 |           WAYNE: Nothing, nothing.

13 |           MAX: -- to come out of there?

14 |           WAYNE: I want absolutely nothing, Max. I  
15 | just want to wait for God's direction.

16 |           MAX: And how do you anticipate it coming?

17 | (End Tape 1x)

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U.S. DEPARTMENT OF THE TREASURY  
BUREAU OF ALCOHOL, TOBACCO & FIREARMS

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TAPE 2x

March 9, 1993

4:00 a.m. - 4:36 a.m.



1 (Tape 2x)

2 WAYNE: -- at this time is, is violating  
3 God's direction.

4 MAX: How can we work this out with David?  
5 We seem to be at a standstill recently. We've made  
6 some, some good progress in the last 24 hours. If you  
7 were mediating the situation, if you were litigating  
8 this situation, what proposal would you make next to  
9 David if you were us to get this situation resolved?  
10 Counselor?

11 WAYNE: I would exercise patience.

12 MAX: I think we should be rewarded to this  
13 point then don't you? We have exercised patience.  
14 Continue, please.

15 WAYNE: God does not always reward a person  
16 immediately after they have performed a vow to God.

17 MAX: Okay.

18 WAYNE: God calls that rushing to the spoil.  
19 In Isaiah Chapter 8 --

20 MAX: Do you think David is afraid to come  
21 out?

22 WAYNE: Isaiah Chapter 8 speaks about Maher-  
23 shalal-hash-baz, and I know that's a very tough name.  
24 It's a Hebrew name. But your King James marginal  
25 reference will tell you that Maher-shalal-hash-baz  
means those who rush to the spoil.

1           MAX: Well, we haven't rushed to anything.  
2 We've been sitting out here for quite a while now as  
3 patient as we can be and opening up all the avenues of  
4 communication we know possible. And I know that's  
5 appreciated in there especially by yourself because you  
6 keep coming back here on this and I, I feel good about  
7 that. So, we are showing patience. And that patience  
8 will extend as long as necessary to make sure that this  
9 comes to a safe and reasonable conclusion. You can  
10 have someone anticipate a series of tragic events or  
11 interpret a series of tragic events for you, but I  
12 think you're going to be disappointed. It may not be a  
13 big fanfare ending like you think. You might just end  
14 up coming down that road anyway. So why not start  
15 tonight?

16           WAYNE: I'm waiting for God's direction.

17           MAX: As observed and interpreted by? Huh?

18           WAYNE: I didn't put any conditions.

19           MAX: I left a blank. I'm waiting for you to  
20 fill it in.

21           WAYNE: If God sends direction through David  
22 Korseh I'm willing to receive it through that agency.

23           MAX: Um-hum.

24           WAYNE: He does have credentials.

25           MAX: Okay. Could he send it through you?  
You think you could get the inspiration first?

1 WAYNE: No. I don't believe so.

2 MAX: Why not? Could you get your own?

3 Maybe not necessarily, you know, you to lead the whole  
4 group out, but maybe you could get your own.

5 WAYNE: Yeah. I could.

6 MAX: Max?

7 WAYNE: Um-hum.

8 MAX: When, when I'm dead, you know, I become  
9 a soul unto the alter. It has been stated we're in the  
10 fifth seal now. The souls --

11 WAYNE: I've heard that a time or two.

12 MAX: The soul unto the alter, they have  
13 conversations with God. You can read it for yourself  
14 in Revelation Chapter 6.

15 MAX: Um-hum.

16 WAYNE: So, yeah, there's another way.

17 MAX: Do you think David is afraid of going  
18 to jail? I said there was a warrant out for him and it  
19 won't go away, we know that, so some day he's going to  
20 have to face it. Does he have a --

21 WAYNE: Ask --

22 MAX: -- an abnormal aversion to being, you  
23 know, claustrophobia or does he have a great fear of  
24 incarceration or something like that? Have you noticed  
25 that?

WAYNE: Ask him.

1                   MAX: I'm asking for your observation. If I  
2 ask him he'd quote me Scripture and not give me an  
3 answer. What do you say?

4                   WAYNE: I'm saying that he may quote a lot of  
5 Scripture and not give you an answer.

6                   MAX: You think if, if he would come out of  
7 there now without the end of the world that he would  
8 lose face by -- with his followers? Do you think he's  
9 afraid of that?

10                  WAYNE: I think he cares about your soul,  
11 souls of -- he's a very caring person. I don't think  
12 he would let his ego get out of hand. I think that you  
13 really don't know him.

14                  MAX: I don't think anybody will ever know  
15 him that well and for that reason, you know, I'd like  
16 to, to talk with everybody that I can because maybe  
17 someone's got some information or an observation or a  
18 perception that will help us bring this thing about, a  
19 safe conclusion. Because I don't know him, I don't  
20 understand him, I can't understand him.

21                  WAYNE: Scriptures say God is slow to anger.  
22 It doesn't say that God will divert his anger or change  
23 his mind or -- it says He's slow to anger. I think  
24 that tells you what's going on right now in God's mind.  
25 Remember, everyone who hears the seven seals is in  
God's judgment.

1           MAX: Um-hum. Wayne, listen to me for just a  
2 second. Would you mind with all the logic that you've  
3 been able to accumulate and all the education you've  
4 been received -- you have received, and all the caring  
5 that you have for people who care about you, you know  
6 what this world is like out here. You work in it, you  
7 know it will be fair and it will be safe. You know  
8 that. You know as well that you want to come out of  
9 there and that you want your family to be reunited or  
10 you wouldn't keep testing this line. This is a  
11 lifeline for you like a life preserver is being thrown  
12 out and you don't want it to go too far; you want to  
13 make sure it's there. I'm guaranteeing you it is and  
14 it is held by a strong rope that can pull you and your  
15 loved ones to safety. Now, you think about it. You  
16 start your -- get -- put your logic in gear and ram  
17 your foot to the floor and do something before it's too  
18 late. All right?

19           WAYNE: Well --

20           MAX: I'm not asking you right now. Think  
21 about it. This line is always here for you or anybody  
22 else. Somebody that cares out here, somebody that will  
23 give you some right answers without a million  
24 Scriptures that you can't interpret; somebody out here  
25 with as much logic as in your lawbooks --

          WAYNE: No, that's, that's not --

1                   MAX:  -- and it's based on as much history.

2                   WAYNE:  The Scriptures I've been given have  
3 been harmonized.

4                   MAX:  Well, there's --

5                   WAYNE:  They have not been scattered, they  
6 have not been disorganized.  I've been given light and  
7 understanding, insight, into the Scriptures.

8                   MAX:  You were given some intelligence long  
9 time ago too.  You best use that also.

10                  WAYNE:  Max, why do you keep a Bible in your  
11 home?

12                  MAX:  Who said I did?

13                  WAYNE:  Everyone does.  It's the world's  
14 best-selling book.  People --

15                  MAX:  If you know everybody has one why do  
16 you think they keep one then?

17                  WAYNE:  They have stockpiles of books -- of  
18 Bibles in their homes, all different kinds.  People  
19 keep buying that book over and over again.  But when  
20 you, you ask them to refer to it, it's, get real, think  
21 about the world, do this, do that.  The Bible becomes a  
22 curse when it's in your home and you disregard it like  
23 that.  You know, David Koresh wrote a song, it's my  
24 favorite song that he wrote, and I wish I could  
25 remember all the words to it, but the name of the song  
is, "It's a Bookshelf Religion," and the verse goes

1 something like this. It poses a question: What would  
2 you do if the book came down and it danced in circles?  
3 Would you rip off its cover? Would you tear out its  
4 pages in fits of human rages? And then it comes to the  
5 chorus which repeats over and over again: It's a  
6 bookshelf religion. I hope you don't regard the Bible  
7 in that light. All these texts and keys that David  
8 Koresh has given you should be something there for you  
9 to, to study out. And yes, you can go to your pastors  
10 and scholars and theologians and ask them for their  
11 opinions and compare and then you should be convicted.  
12 That's how the judgment works, by hearing the word  
13 about the seven seals. You'll find that other peoples'  
14 interpretations of the seven seals are based on  
15 tradition, based on logic, based on science, history,  
16 based on everything under the sun except the  
17 prophecies. They cannot show you in the prophecies  
18 where the seven seals were found. David Koresh was the  
19 first person who revealed and disclosed those things to  
20 you, just as he was the first person to reveal and  
21 disclose those truths to me. He has the credentials.  
22 You don't know what you're dealing with.

23 MAX: Are you sure you do?

24 WAYNE: Yes.

25 MAX: Well, counselor, I will place a matter  
of record on the record. I want you to know that you

1 and anyone you choose and anyone in there can come out  
2 of there safely and that it is apparently a free and  
3 voluntary effort, free and voluntary decision that  
4 you're staying in there. And counselor, you have the  
5 power and you have the wisdom to change that for you  
6 and the others. I think what a lot of those people in  
7 there need is just someone that will start marching in  
8 the right direction. I think they're so confused. I  
9 really think their leader has been discredited. I  
10 really think that they will follow someone who would  
11 march in a direction --

12 WAYNE: They've --

13 MAX: -- of safety.

14 WAYNE: They've already had poor examples.  
15 What did Robert Gonzalez do? Psalms 55. And even yet  
16 David Koresh is willing to get on the telephone and  
17 talk with that person. That's mercy.

18 MAX: Have you given up on Jamie?

19 WAYNE: Let me say that the doctors that I've  
20 talked to have given up on Jamie.

21 MAX: So, doesn't that mean he needs that  
22 much more support from you?

23 WAYNE: He's getting it.

24 MAX: From?

25 WAYNE: From me. I'm doing what's best for  
Jamie.



1           MAX: Could you elaborate on that? I fail to  
2 understand the logic.

3           WAYNE: It's a biblical reference, Isaiah 35.

4           MAX: Well, it just appears to me that he'd  
5 be better off with you and I know you care about him.  
6 I've heard it in your voice. I know you do. Think  
7 there's anything to it that -- well, who decided that  
8 Jamie would come out anyway? Whose decision was it?  
9 Was that David's to send out your children while his  
10 stayed?

11           WAYNE: You can ask him about that.

12           MAX: No, I'm asking you. You know. It's  
13 your child involved. And if so, why?

14           WAYNE: I don't think it's important whose  
15 decision it was.

16           MAX: I think Jamie is very important. I'm  
17 surprised to hear you say that. I think he needs you.

18           WAYNE: I think what's at stake is so  
19 important to so many people that we need to seek God's  
20 kingdom first. Everything else God has promised to add  
21 to us. We have to --

22           MAX: And it takes --

23           WAYNE: -- get our priorities straight.

24           MAX: And it takes this separation from you  
25 from your child for it to all come true. I find that  
ungodly.

1           WAYNE: But you cannot say it's ungodly.  
2 Read Isaiah 49. Isaiah 49 is godly. Read the Gospels  
3 where Christ says don't even put a husband or a wife, a  
4 father or a mother, a son or daughter or a brother or a  
5 sister ahead of your, your service to God.

6           MAX: What if you misjudged this one, Wayne?

7           WAYNE: Then I'm responsible.

8           MAX: Yes.

9           WAYNE: But read the Scriptures where it says  
10 the elect will almost be deceived. God does not tempt  
11 us beyond what we can bear. God does not give us truth  
12 and then deceive us. God gives us truth in the word.

13           MAX: You're a bigger gambler than I thought,  
14 Wayne. Challenged you to a little gambling earlier,  
15 but you're, but you're a bigger gambler than I thought.

16           WAYNE: God has raised --

17           MAX: You're laying a lot out there on the  
18 line.

19           WAYNE: God has raised the stakes. You need  
20 to fold your cards and put your trust in God. God is  
21 the dealer.

22           MAX: I think you ought to play out the hand  
23 a little further before you give up on it.

24           WAYNE: To the wicked God is a treacherous  
25 dealer.

          MAX: Wayne, are you considering suicide?

1 WAYNE: No.

2 MAX: As part of this solution yourself, or  
3 as part of the solution, is, is David considering  
4 suicide for you? Huh?

5 WAYNE: Ask him.

6 MAX: I'm, I'm asking you.

7 WAYNE: I don't --

8 MAX: I can't get a straight answer from him.  
9 I have better, better luck with you on straight  
10 answers.

11 WAYNE: If --

12 MAX: You'll give you one every now and then.

13 WAYNE: If you want a straight answer from,  
14 from God's voice, read Ezekiel --

15 MAX: I want a straight answer from, from  
16 Wayne's voice and Wayne's mind and Wayne's heart and  
17 Wayne's knowledge.

18 WAYNE: Wayne's knowledge is Ezekiel 13 and  
19 14.

20 MAX: Well --

21 WAYNE: If you have an idol in your heart --

22 MAX: -- that's been distorted by David.

23 WAYNE: If you have an idol in your heart and  
24 you ask a question of God, God will not be kind to the  
25 person who asks nor to the person that answers.

MAX: Well, if -- you're so mysterious about,

1 | you know, a few things like Jamie's care and you've got  
2 | him taken care of and all that and, and you sound so,  
3 | so sad and so disappointed and depressed when you call  
4 | in here to me I have, I have to wonder and I want an  
5 | answer. I won't be comfortable as long as you keep  
6 | equivocating on me. I want an answer.

7 |           WAYNE: I am rejoicing.

8 |           MAX: No, you're not.

9 |           WAYNE: Wait, wait, wait. I told --

10 |           MAX: Rejoicing people don't sound like you  
11 | sound.

12 |           WAYNE: I told you long ago, this is not a  
13 | Pentecostal religion. It's not a cult either. It is  
14 | not a Pentecostal religion. According to Texas law  
15 | it's an unincorporated religious association.

16 |           MAX: See, you do know something about what  
17 | you're in.

18 |           WAYNE: But it's not Pentecostal. We do not  
19 | trust our emotions to tell us one day that we feel  
20 | happy so we're saved and the next day we feel unhappy  
21 | so we must be lost. Now, God says come and let us  
22 | reason together. We have a rational understanding of  
23 | the Scriptures and that is our foundation. We know our  
24 | God sits on a throne, he has a book in his hand. He's  
25 | given that book to no other person except the Lamb.  
And that the person who unlocks the seals has to be

1 | that person, the Lamb. Simple.

2 |           MAX: The exact same words David used a  
3 | hundred times. Didn't, didn't answer my question  
4 | though.

5 |           WAYNE: Well --

6 |           MAX: Is this rejoicing going to end in  
7 | you're killing yourself?

8 |           WAYNE: Why has David said about that?

9 |           MAX: It doesn't matter to me. What does  
10 | Wayne say about it?

11 |           WAYNE: He says that he is not contemplating  
12 | suicide.

13 |           MAX: Thank you. Thank you for saying that.  
14 | That's all I wanted to hear in that subject area, the  
15 | question -- the answer I was trying to get.

16 |           WAYNE: But you knew that.

17 |           MAX: No, no. I did want to hear it from  
18 | you. You sure sound, you know, like you've reached a  
19 | low ebb. When you called in here on those other times  
20 | and you tell me how evil we are and how we're the  
21 | enemies of the seven seals, it, it sounds like you've,  
22 | you know, just, just --

23 |           WAYNE: I said, I said you were blocking,  
24 | blocking the publishing of the seven seals --

25 |           MAX: Okay. Well, you had some, you had some  
enthusiasm, you had some life in your voice, you know?

1           WAYNE: I said those --

2           MAX: The times like these you're so --

3           WAYNE: I said those that came during the  
4 first raid did not know anything about the seven seals.

5           MAX: Well, when you're talking, you know, at  
6 times like these and we talk about subjects matter like  
7 these and you tell me how, how joyful you are, you  
8 sound so hypnotic, you sound so manipulative, you sound  
9 like, you know, I would expect a zombie out of an old  
10 class B movie to sound.

11          WAYNE: (Laughter)

12          MAX: Hey. That's the first pleasant sound  
13 I've heard from you this evening. I'm glad you can do  
14 it. You know what I'm talking about then, right?  
15 Right. Of course, I've been told I sound the same way  
16 especially by my students.

17          WAYNE: Well --

18          MAX: But I can't -- you know, it, it  
19 confuses me a little and I'm concerned when I hear you  
20 sound that depressed and kind of unenthused about your  
21 prospects in your life.

22          WAYNE: I'm sorry I don't sound like I'm  
23 rejoicing.

24          MAX: Well --

25          WAYNE: But it's a rational rejoicing.

          MAX: Okay. Well, you sound a bit better

1 | anyway. And I'm glad to hear that -- and I'm holding  
2 | you to that now -- that you're not, you know, thinking  
3 | about hurting yourself or anybody else. When people  
4 | have left there, David -- I mean, Wayne -- see, I'm  
5 | talking to that guy too much. You say I don't talk to  
6 | him, I talk to him so much he's the only name I can  
7 | repeat. When people leave there, who has choose --  
8 | done the choosing who would go, who would stay?

9 |           WAYNE: I haven't been a part of that so I  
10 | don't know.

11 |           MAX: Okay. Who was?

12 |           WAYNE: I don't know.

13 |           MAX: You don't --

14 |           WAYNE: I wasn't there.

15 |           MAX: You, you don't know?

16 |           WAYNE: No, I don't know. Factually.

17 |           MAX: Then it means that regardless of what  
18 | you might think about going, really wanting to go or  
19 | really wanting to stay, if --

20 |           WAYNE: Do you --

21 |           MAX: -- someone else said no you can't, then  
22 | you couldn't?

23 |           WAYNE: Do you want me give you a rumor or  
24 | maybe hearsay? What are you asking for?

25 |           MAX: The truth. Who makes the decision or  
   | who goes and who stays?

1 WAYNE: Let's make it a bargaining chip.

2 MAX: Hmm.

3 WAYNE: Hmm.

4 MAX: What do you say, mister negotiator?  
5 What's your deal?

6 WAYNE: My deal is I'm going to wait for  
7 God's direction. I hope you wait, I hope the  
8 government waits.

9 MAX: Well, do you think the government could  
10 take some action that would foil God?

11 WAYNE: No.

12 MAX: I doubt it, right?

13 WAYNE: I, I don't --

14 MAX: I doubt it. I really doubt it. Now, I  
15 don't know a lot about it but I doubt it would happen.  
16 So, why don't we pacify the government and make sure  
17 everybody is safe and --

18 WAYNE: No, no, let's not pacify the  
19 government.

20 MAX: -- and then God's going to have his way  
21 anyway?

22 WAYNE: You know, there have been governments  
23 in history that have repented and followed God's  
24 direction and I'm hoping that this government will be  
25 wise.

MAX: Well --



1                   WAYNE: I hope it will pass the test and get  
2 an A.

3                   MAX: Um-hum. Well, I hope when that test  
4 comes we will also. David (sic), I don't know. I  
5 thought when we started here that, that you might have  
6 had a freedom of choice, that you might have had the  
7 power to walk out of there if you wanted to on your own  
8 --

9                   WAYNE: The Bible says --

10                  MAX: -- and that you were staying there of  
11 your own free will. But, you know, I don't really  
12 believe that anymore.

13                  WAYNE: The Bible says --

14                  MAX: I think David has chosen the ones that  
15 will go and the ones that will stay and for some reason  
16 you drew the short lot, you're staying because you've  
17 been told to stay and you've been told to send your  
18 children out and it was some kind of test, it was some  
19 kind of loyalty test, it was some kind of punishment  
20 maybe, but that's the situation you find yourself in  
21 and you're sadly trying to make the best of it by  
22 reasoning to the -- your -- with irrational statements  
23 through the Scriptures with me.

24                  WAYNE: But the Bible says we are prisoners  
25 of hope.

                  MAX: Was I wrong in what I just said or was

1 I exactly right? You just proved it.

2 WAYNE: It's a theory. It's a theory.

3 MAX: Well, and I haven't been -- haven't  
4 talked to anyone that's been able to convince me  
5 otherwise.

6 WAYNE: Well, what does the Bible say?

7 MAX: Well, the way I've been hearing it over  
8 this phone it's not going to convince me either because  
9 I, I hear too many interpretations and I'm not  
10 just -- I'm just not willing to get into something that  
11 confusing for me. I, I like to sit out here and deal  
12 about life, try to save lives in the way that I know  
13 how.

14 WAYNE: Science doesn't understand life.

15 MAX: Science? What does any of this have to  
16 do with science?

17 WAYNE: You reject a biblical reference and  
18 you talk about life. What is your standard?

19 MAX: I try to save lives when I can. I try  
20 to lead people to safety. I try to get people out of  
21 situations where guns are pointed back and forth and  
22 where guns were fired in the past and I try to bring  
23 them into the system that will --

24 WAYNE: Is that what God wants you to do with  
25 your life? How do you --

MAX: Hey. I feel pretty strongly about it

1 and if it was wrong I think he might change me. And  
2 I've felt pretty good about it. I felt some damn near  
3 religious experiences from having done well --

4 WAYNE: Well, those are feelings.

5 MAX: -- in these areas.

6 WAYNE: Those are feelings. But how do you  
7 know you're doing what God wants you to do?

8 MAX: I measure things that way. I don't.

9 WAYNE: Well, you could find out.

10 MAX: I know well enough. I don't have to  
11 have somebody else flipping through the pages --

12 WAYNE: So --

13 MAX: -- telling me whether I'm doing well or  
14 not.

15 WAYNE: Who's gambling?

16 MAX: You are.

17 WAYNE: No, you are.

18 MAX: Because you're depending on somebody  
19 else to tell you. You're letting someone else read and  
20 decipher and direct and establish your goals.

21 WAYNE: And you don't know because you won't  
22 depend on someone else to flip the pages and tell you.

23 MAX: You're a lawyer.

24 WAYNE: You say --

25 MAX: You don't try, you don't try your cases  
this way and you won't win this one this way either.

1 It's just like if you had it --

2           WAYNE: You know, there is such a thing as  
3 case dismissed. There is such a thing as case  
4 dismissed on the basis of new evidence. Lawyers win  
5 cases that way, you know that?

6           MAX: Yeah.

7           WAYNE: Also, consider history forgives.  
8 I'm quoting, let's see, I don't want to use his name.  
9 Said history will forgive me, and it did.

10           MAX: God probably would too from what I've  
11 heard. If you would not turn your back on your family,  
12 if you would walk out and accept responsibility for  
13 them and try to lead them, I think if you were wrong in  
14 doing that God would forgive you, but someone how I  
15 kind of get the idea that's what he would want you to  
16 do.

17           WAYNE: I have committed many moral sins and  
18 I'm hoping God will forgive me for those.

19           MAX: Okay.

20           WAYNE: The Bible says he will.

21           MAX: Okay.

22           WAYNE: And that he will cover them.

23           MAX: Well, I think you're gambling again  
24 because I, I can't -- couldn't find it, I'm not a  
25 researcher, but I can't remember it anywhere that says  
you got to turn your back on your family and --

1 WAYNE: Is that a --

2 MAX: -- and the rest of the world.

3 WAYNE: Is under the U.S. Code?

4 MAX: It's something --

5 WAYNE: I don't recall seeing it there, Max,  
6 what you're talking about.

7 MAX: I don't recall hearing it or seeing it  
8 from, from the Bible anywhere either.

9 WAYNE: Well, I don't believe --

10 MAX: I'm not a scholar talking, not a  
11 scholar talking, but popular, popular conversation has  
12 it that you don't have to give up your family and you  
13 don't have to give up your loved ones and turn your --

14 WAYNE: I'm not.

15 MAX: -- back on your country to go to God.  
16 It's a --

17 WAYNE: Do you --

18 MAX: -- a popular rumor out here.

19 WAYNE: You enforce the U.S. Code, do you  
20 not?

21 MAX: I try to.

22 WAYNE: You're part of the FBI, right?

23 MAX: Right, like you're part of the judicial  
24 system.

25 WAYNE: And as part of the FBI keep in mind  
that -- that being -- that, that officer of the court

1 business --

2 MAX: Um-hum.

3 WAYNE: -- I'm a private attorney.

4 MAX: Um-hum.

5 WAYNE: I try to make my point as forcefully

6 as I can.

7 MAX: Um-hum.

8 WAYNE: I do not work for you.

9 (End Tape 2x)

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U.S. DEPARTMENT OF THE TREASURY  
BUREAU OF ALCOHOL, TOBACCO & FIREARMS

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TAPE #3

2/28/93

1 (Tape 3)

2 MR. KAVANAUGH: We on now? Is it coming on?  
3 Red light?

4 (Telephone ringing)

5 MR. KAVANAUGH: Yeah, David, they just moved  
6 [gap] they're not coming toward you.

7 UNIDENTIFIED FEMALE SPEAKER: It starts and  
8 then it quits. The batteries are out.

9 UNIDENTIFIED MALE SPEAKER #3: You need AA  
10 batteries?

11 UNIDENTIFIED FEMALE SPEAKER: Um-hum.

12 STEVE: Yes?

13 MR. KAVANAUGH: The news conference. Okay.  
14 What happened? I didn't hear it.

15 STEVE: Well, anyway, David wanted to know if  
16 you got his message out yet on the airwaves.

17 MR. KAVANAUGH: No, that -- no, here's what I  
18 was trying to work out with David. I can get the  
19 message played -- I know, but he, he just --

20 STEVE: I'm going to get off the phone  
21 because, you know, that's, that's the thing that -- he  
22 said to you and that's what's going to be.

23 MR. KAVANAUGH: Steve?

24 STEVE: Yeah?

25 MR. KAVANAUGH: Can I talk to him?

STEVE: You walk to talk -- no.



1 MR. KAVANAUGH: Okay. Well, I, I really want  
2 to do it, I want to get it on there but, you know,  
3 we've, we've already put one message on there and --

4 STEVE: I haven't heard any.

5 MR. KAVANAUGH: Yeah, David heard it. [gap]

6 STEVE: We want to resolve it.

7 MR. KAVANAUGH: I want to resolve it, and you  
8 do too. And what I'm saying is, let's make an, an  
9 agreement -- going to have it played and then I'm going  
10 to -- I, I want to get some kids or wounded out, okay?  
11 I'm going to do the thing first. We've already played  
12 one message, you know. [gap] Okay. Okay. I need to  
13 sack -- hit the sack.

14 (End Tape 3)

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U.S. DEPARTMENT OF THE TREASURY  
BUREAU OF ALCOHOL, TOBACCO & FIREARMS

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TAPE #4x

3/17/93  
Ending at 1:28 P.M.

1 (Tape 4x)

2 STEVE SCHNEIDER: Hello, John?

3 JOHN: Yes?

4 STEVE SCHNEIDER: I'll wait till your phone's  
5 working.

6 JOHN: I'm not very technical here, Steve,  
7 and things are --

8 STEVE SCHNEIDER: What's that?

9 JOHN: I'm not very technical here. I don't  
10 know what those buzzers and -- buzzers are for.

11 STEVE SCHNEIDER: Okay. Now, it sounds like  
12 you've got a real echo there. I guess you've got it on  
13 a speaker phone, huh?

14 JOHN: Yeah.

15 STEVE SCHNEIDER: Okay. That's all right.  
16 Yeah, I was just talking with David. Apparently, he  
17 heard this Dr. Arnold speaking and raising questions,  
18 and also saying he had a lot to share. And he said  
19 it'd go a long ways to be able to communicate with the  
20 man or to dialogue with him.

21 JOHN: Um-hum.

22 STEVE SCHNEIDER: And a lot of these people  
23 were nearby and they said yeah, they'd like to hear  
24 that, they'd like to hear another point of view or  
25 perspective. They'd like to see questions raised by  
someone of his caliber. The man also mentioned a

1 | Dr. James Taber (phonetic sp.) from the University of  
2 | North Carolina, apparently, that's aware of all this  
3 | and must have heard that 58-minute tape that he did and  
4 | has a reaction to it. So, I mean, Philip Arnold  
5 | himself I guess mentioned this man, James Taber.

6 |           JOHN: And where is Arnold from?

7 |           STEVE SCHNEIDER: Arnold, he's from Reunion  
8 | Institute in Houston.

9 |           JOHN: Okay.

10 |           STEVE SCHNEIDER: And I believe -- I don't  
11 | know if you already contacted him. I mean, you know, I  
12 | don't know --

13 |           JOHN: So we've got Arnold and Taber?

14 |           STEVE SCHNEIDER: Taber is a man that Philip  
15 | Arnold -- He was just on the radio about -- I think  
16 | about a half hour ago or so, and I guess they picked up  
17 | on that again. The man mentioned another doctor by the  
18 | name of James Taber from the University of North  
19 | Carolina. He's apparently a doctor of either  
20 | philosophy or theology himself.

21 |           JOHN: Okay.

22 |           STEVE SCHNEIDER: And he must have heard that  
23 | 58-minute tape David did and does have a reaction to  
24 | it. But it sounds like they're both very updated on,  
25 | you know, the theology of David, or at least they're,  
they're aware of it and I guess they've made known that

1 they have a response to it.

2 JOHN: Okay. Steve, the, the thing that I  
3 wanted to mention, Byron I believe has a tape of  
4 Dr. Arnold's message or something like that that, that  
5 Byron was going to give you, along with answering some  
6 of those questions. And it's critical. He's got other  
7 information that he wants to give you. You know, he's  
8 on his way out there. He'll be there approximately,  
9 you know, be ready to meet you approximately 1:00.

10 STEVE SCHNEIDER: Well --

11 JOHN: And he'll pull down the road there --

12 STEVE SCHNEIDER: Well, John --

13 JOHN: -- in just the same way as, as the  
14 other meeting.

15 STEVE SCHNEIDER: John, wait.

16 JOHN: Yeah?

17 STEVE SCHNEIDER: David suggested, for right  
18 now, he suggested to me that I wait to hear what the  
19 information is before we get to really negotiate or  
20 stand and talk again. He says --

21 JOHN: Steve, let me, let me interrupt you  
22 here. It's crucial. Byron has some information -- I'm  
23 not privy to it. Can't discuss it over the phone -- to  
24 give to you personally. You mentioned the other day  
25 that the meeting went well and that you were interested  
in talking to him, and it's critical that you meet with

1 him. Okay? Assurances of your safety, you know, are,  
2 are there, but he's been in touch with D.C. and he has  
3 some information that he wanted to give to you  
4 personally and is -- About 1:00 would be good because  
5 if you have any other questions, he'll be able to run  
6 them down the rest of the day.

7 He's been running all over the place, but he  
8 is en route out there and he's going to meet you at 1.

9 STEVE SCHNEIDER: When you say critical --

10 JOHN: Legal items, legal items that Wayne  
11 wanted, are one of the things. The tape from Dr.  
12 Arnold is another thing. But he's got something else  
13 that I'm not privy to that he's received from the  
14 command post here that he has to tell you.

15 STEVE SCHNEIDER: Wayne Martin's right here.  
16 I'd like to have you repeat what you just said to him.

17 JOHN: All right.

18 STEVE SCHNEIDER: Okay, just a moment.

19 WAYNE MARTIN: John, I'm listening.

20 JOHN: Wayne, I was just telling Steve that  
21 Byron is available and he'll be out there to meet with  
22 you approximately 1:00. He's got some answers to the  
23 legal issues that you brought up the other day, and  
24 he's also got a tape from Dr. Arnold that some of the  
25 people there and David are interested in. And he's  
also, you know, going to be talking to you about any

1 | other legal issues that you've thought up or thought of  
2 | in the past couple days.

3 |           WAYNE MARTIN: Well, my response to Byron,  
4 | I'd like to talk to him on the telephone and we already  
5 | have a well established method of exchanging tapes.

6 |           JOHN: Um-hum.

7 |           WAYNE MARTIN: I think we should continue  
8 | exchanging those tapes in the established manner. Our  
9 | safety is not assured when we go out and speak with you  
10 | and we are unarmed and we're standing in front of men  
11 | with machine guns.

12 |           JOHN: That was safety, and the safety is  
13 | guaranteed on, on both sides. I hope that you are  
14 | aware of that. But this is some critical information  
15 | that Byron was tasked by the people back in D.C. to  
16 | give to the people in there and it's going to be held  
17 | at the meeting. He'll be out there and it's important.  
18 | The sheriff will be there, also.

19 |           WAYNE MARTIN: Well, I, I'd be welcome -- I  
20 | would welcome calls from anyone in Washington that  
21 | would like to speak with me, also. But I am still  
22 | mystified as to why Byron will not get on the telephone  
23 | with me or these other people in Washington that we  
24 | have yet to even be given their names.

25 |           JOHN: You know, Wayne, how are we going to  
establish trust between the two of us if, if you'll

1 | refuse this meeting? It was my understanding the other  
2 | day in talking to Steven that things went well. He  
3 | appreciated talking to Byron. It was good to look at  
4 | him face to face. Byron and he had a good rapport  
5 | going. You got a chance to raise some questions that  
6 | he has been running around here checking on.

7 |           And, you know, we're trying to keep good  
8 | faith with this, we're trying to meet you and discuss  
9 | these issues. And, you know, he's been tasked to  
10 | personally talk to you out there and answer any  
11 | questions. And, like I say, the other day you say that  
12 | it went well and, and it was good to talk to the  
13 | sheriff. It's, it's from D.C. I'm not privy to it.  
14 | He was told not to deliver it over the phone, but in,  
15 | in person. Assurances of your safety, just the same  
16 | way as the other day You know, that's, that's what  
17 | I've got.

18 |           WAYNE MARTIN: John, you and I really don't  
19 | know each other. I know Byron. Byron is not getting  
20 | on the phone with me. It's beginning to look like a  
21 | trap to me.

22 |           JOHN: There's, there's no trap. Wayne, you  
23 | know, you're an attorney and you know that this thing  
24 | has gone on, that there's a lot of press coverage. It  
25 | is not a trap, it's just a face-to-face meeting. It  
went well the other day. You had some questions, some



1 | legitimate questions. Did we trap you last time?

2 |           WAYNE MARTIN: No, it did not happen last  
3 | time.

4 |           JOHN: Okay. And it won't happen this time.  
5 | We just want to talk to you. He's been tasked. If you  
6 | don't want to come out, if you want to give the  
7 | questions to Steve and have him come out, that's fine.  
8 | But this is, this is not a trap. It's Byron discussing  
9 | these matters with you face to face.

10 |           WAYNE MARTIN: Well --

11 |           JOHN: And he is en route out there. He'll  
12 | be out there about 1:00 and he's got some important  
13 | information, some critical information that he, he was  
14 | tasked to deliver in person. And we'll guarantee your  
15 | safety and you've just got to help us help you.

16 |           WAYNE MARTIN: Well, I, I'd like to hear from  
17 | Byron and know that Byron himself is going to be there.

18 |           JOHN: Well, you know, let's put it this way,  
19 | Wayne. You will see him and he will -- You know, you  
20 | know what he looks like, you talked to him the other  
21 | day. It'll be the same way. If it's not Byron out  
22 | there, you can turn around and, and walk back. And  
23 | like the sheriff, also, you've talked to the sheriff  
24 | and I believe you trust him in there. Do you not? I  
25 | think that's reasonable, the sheriff and, and you and  
   | Steve and Byron met the other day.

1           We got something accomplished and he wants to  
2 discuss that with you, plus this other information.  
3 Plus, if the tape is as important as Steven says it is,  
4 we've got that tape from Dr. Arnold that he can review.

5           WAYNE MARTIN: Well, I think it's reasonable  
6 for me to request to speak with Byron, and, and I'm not  
7 going to go any further than that. I'm going to pass  
8 this phone call over to Steve.

9           JOHN: Wayne, why don't we do this? When he  
10 gets out there closer to the, to the camp out there, he  
11 will call you and assure you that he's going to --

12           STEVE SCHNEIDER: Hello?

13           JOHN: -- meet you at the road? Hello.

14           STEVE SCHNEIDER: Yes.

15           JOHN: All right?

16           STEVE SCHNEIDER: It sounded -- I was  
17 listening to the conversation, at least what Wayne was  
18 saying, and it sounded very reasonable to me at this  
19 point of time.

20           JOHN: Steve, like I say, it went well the  
21 other day. We're trying to --

22           STEVE SCHNEIDER: I was, I was quite  
23 surprised. They told us, you know, don't be armed.  
24 They wouldn't be armed, of course. The reaction of the  
25 two men that were behind both Byron and Jack, they had  
a bullet-proof vest from the neck all the way to their

1 | groin area. They had --

2 |           JOHN: Steve, they're there for security  
3 | purposes.

4 |           STEVE SCHNEIDER: The way they even acted,  
5 | seriously, no smiles. The way they were constantly  
6 | pointing and then were so jittery.

7 |           JOHN: Steve, if they wanted to hurt you,  
8 | they could have. You know that.

9 |           STEVE SCHNEIDER: I know that, but, you know,  
10 | that kind of thing is unsettling.

11 |           JOHN: Yeah.

12 |           STEVE SCHNEIDER: But, you know, I don't see  
13 | the necessity my -- I thought that, that Wayne actually  
14 | explained it very well. I don't see the necessity just  
15 | yet. Now, it's not that I'm not willing, because I  
16 | will be at some point of time, but right now, until we  
17 | clarify a few things, and that can be done, like he  
18 | said, over the phone --

19 |           JOHN: When, when would that be?

20 |           STEVE SCHNEIDER: That can be today, right  
21 | now. It can be when Byron calls. I'm anxious, as he  
22 | is, to hear the information he already has. And if  
23 | there's a tape, like he said, it's already been  
24 | established, the very procedure, and it works. And  
25 | give us a little time --

          JOHN: Steve --

1 STEVE SCHNEIDER: -- to, to look over the  
2 information and to make a valuable judgment over that.

3 JOHN: Okay, listen. Steve, Byron will go up  
4 front and he will call you from there. And if you have  
5 any reservations, if you see that, that that's not them  
6 out there, you have every opportunity to turn around  
7 and, and go back.

8 STEVE SCHNEIDER: But what I --

9 JOHN: This is a good faith effort that we're  
10 carrying up there.

11 STEVE SCHNEIDER: I really -- Explain,  
12 explain to me, John, why it would need to be face to  
13 face or person to person. I don't quite see the need  
14 or the necessity of that.

15 JOHN: If I knew it, Steve, I would tell you.  
16 But these are directions that we've received from  
17 Command Post and, you know, you yourself said --

18 STEVE SCHNEIDER: If you could give me --

19 JOHN: -- the other day --

20 STEVE SCHNEIDER: -- a good reason, if you  
21 could give me a good reason for it, it would definitely  
22 help me.

23 JOHN: He has some things to give to you.

24 STEVE SCHNEIDER: I know, but you've been  
25 giving us things right along and it has not been  
necessary that a -- someone hand it to a person.

1           JOHN: He wants to give it to you, possibly  
2 explain some things to you. Like I say, we've been  
3 working with you. You, you know, you agreed to the  
4 last meeting and it was productive, was it not?

5           STEVE SCHNEIDER: True.

6           JOHN: Was it not a productive meeting?

7           STEVE SCHNEIDER: It was -- Well, in honesty,  
8 in honesty, I do see that we could have done the same  
9 thing over the phone. But, I mean, I see that it was  
10 okay. I didn't really appreciate or enjoy the, the  
11 fact that there were the two men so armed, so jittery,  
12 pointing their weapons around toward our direction with  
13 the attitude they manifested in their faces and stance.  
14 But --

15           JOHN: Was there a problem with that? Didn't  
16 you return safely, as we had promised?

17           STEVE SCHNEIDER: Yes, that's correct.

18           JOHN: Okay. And this is -- this will be the  
19 same thing. I'm just asking you meet us halfway, be  
20 reasonable with us.

21           STEVE SCHNEIDER: I'll have to call you back  
22 on that.

23           JOHN: What's that?

24           STEVE SCHNEIDER: On my decision.

25           JOHN: Well, can you tell me when you'll  
call?

1 STEVE SCHNEIDER: It'll probably be within  
2 the next 20 minutes.

3 JOHN: Is, is that a definite time that you  
4 think you'll call or --

5 STEVE SCHNEIDER: Okay, 20 minutes from now  
6 I'll call you back.

7 JOHN: All right.

8 STEVE SCHNEIDER: Okay.

9 JOHN: On this phone?

10 STEVE SCHNEIDER: Yes.

11 JOHN: Okay.

12 STEVE SCHNEIDER: Okay, bye.

13 JOHN: Bye-bye.

14 \* \* \* \* \*

15 STEVE SCHNEIDER: -- with the phone here? I  
16 have spent -- You know, I wanted to call you in 20  
17 minutes, but it's been busy until right now, till --  
18 First, it rang just now.

19 JOHN: Your phone has been busy or ours?

20 STEVE SCHNEIDER: Yours. You know, the phone  
21 that I've been calling from this morning, normally you  
22 pick it up, it's got a dial -- or it starts ringing you  
23 right away, right?

24 JOHN: Uh-huh.

25 STEVE SCHNEIDER: And within 20 minutes, like  
I told you, I picked the phone up. It's been busy

1 | until right now. It, it just rang 30 seconds ago and  
2 | there was a bunch of clickings. I put it back down,  
3 | and then I was able to get through to you. So it must  
4 | be on your end then.

5 |               JOHN: Well, we, we're, you know, we have  
6 | these technical problems we're just going to have to  
7 | work through, Steve.

8 |               STEVE SCHNEIDER: All right. Just so you're  
9 | aware, though.

10 |              JOHN: All right.

11 |              STEVE SCHNEIDER: I mean, I did attempt to  
12 | pick it up at 20 minutes after.

13 |              JOHN: You know, these phones and things like  
14 | that, like the other night with the power down or the  
15 | line was down because of the rain and stuff like that,  
16 | we're just going to have to work through that. And if,  
17 | you know, if we don't hear from each other, we're just  
18 | going to have to call each other.

19 |              STEVE SCHNEIDER: Yeah. Yeah. It's not a  
20 | problem on my part, you know, so it's all right. Okay,  
21 | I went and David was awake, so I went and spent some  
22 | time with him 'cause it's been a while since I've heard  
23 | his reaction to what's on his mind, if God has said  
24 | anything to him, what his responses about this  
25 | Dr. Arnold or this Taber, because he did get to hear  
   | it. And I wanted to hear what he might have to say,

1 and a lot of people are waiting to see, you know, if  
2 God has said a word to him.

3 And he mentioned again, like I said, his  
4 interest in communicating or dialoguing with anybody  
5 like -- if they're a theologian or if they have  
6 something in reaction or response to. He said  
7 something to the effect that if someone can at least  
8 equal his statements on the Seven Seals or give another  
9 view that has substance in the scripture, in its  
10 context, so he mentioned, he mentioned to me to relay  
11 that.

12 JOHN: Um-hum.

13 STEVE SCHNEIDER: I said where's the  
14 Newsweek, Time magazines. I said if there's a tape  
15 from Arnold -- he says he still wants to -- he would  
16 like to dialogue with the man, but if you have the  
17 tape, you know, drop it off. Here's some of his  
18 statements. I just sat down and I jotted a few notes  
19 down. He said, you know, of course, there's been the  
20 lights being brought closer and closer with the  
21 Bradleys.

22 He sees that as an encroachment. He says  
23 we've been allowing that, but he says never --

24 JOHN: I'm sorry, Steve --

25 STEVE SCHNEIDER: Pardon?

JOHN: -- can you repeat that, please?



1           STEVE SCHNEIDER: Yes. He said, you know, of  
2 course, the Bradleys are bringing the lights and the  
3 generators, the speakers, probably listening devices,  
4 whatever else, closer and closer. He said that that is  
5 an encroachment. We haven't really said much about it,  
6 but he says it is an encroachment and we're watching  
7 it. It's not that we have said we enjoy it or anything  
8 like that, but he, he wanted me to say that God will be  
9 doing the same thing. He mentioned that that Sunday  
10 that this all came place the innocency on the part of  
11 all the people here, sitting here getting ready for a  
12 study, he was not happy, as neither were the people, at  
13 that press conference today in response to the ATF  
14 agent.

15           Not, not your people as much as when the man  
16 gets on and makes some of the statements he did, how  
17 they knocked at the door. That is not true. The man  
18 did not knock at the door. It's totally untrue that --  
19 what he said about the helicopters. There was -- When  
20 you look at the building, you're going to see a  
21 diagonal of the way the, the bullets came into his room  
22 from a high position, along with -- there was water  
23 tanks that were shot.

24           JOHN: Steve --

25           STEVE SCHNEIDER: You'll also see the  
diagonal from that.

1 JOHN: I, I understand his concerns and I  
2 understand your concerns --

3 STEVE SCHNEIDER: But, John --

4 JOHN: -- with this whole situation.

5 STEVE SCHNEIDER: But, but what I'm saying,  
6 what I'm saying is here's this man -- Now, here's what  
7 he's telling me. Here's what he's telling me. That  
8 this ATF spokesperson, here he's making all these  
9 statements to the press that are so untrue, and he  
10 knows that. I mean, they had -- Never has it been  
11 brought up in the press that I have heard that three  
12 choppers came around these buildings. There were many  
13 witnesses that got to see what happened.

14 If they would only tell even a partial truth,  
15 but these men are totally denying much of what took  
16 place. That bothers David. He, he says that does not  
17 help in this whole process. These are the kind of  
18 things that unsettle people, these are the kind of  
19 things I've been trying to explain to the people, that  
20 well, let's -- You know, the FBI seems to be the  
21 negotiators, but yet, here's a man that seems to have  
22 all this room to make these kind of statements.

23 Wayne Martin, the people here, David,  
24 everybody wants to know the part of the ATF in the  
25 ongoing investigation. We don't believe that they  
should even have a part. They should be investigated,

1 as we should be.

2 JOHN: But they are going to be, Steve.

3 STEVE SCHNEIDER: Yeah, but why --

4 JOHN: They are going to be investigated.

5 STEVE SCHNEIDER: No, but the point, John, is  
6 we're not able to speak to the outside, to the press or  
7 anybody.

8 JOHN: You will be able to. You're going to  
9 have a phone --

10 STEVE SCHNEIDER: No, but wait, wait, John.  
11 John --

12 JOHN: -- wherever you are.

13 STEVE SCHNEIDER: But, John, you can  
14 understand me. The point is, though, the ATF is able  
15 to make all these untrue statements. They should be  
16 investigated, they should be closed up right now  
17 themselves. All of this --

18 JOHN: You're going to have every opportunity  
19 to dispute that. You'll have every opportunity to  
20 dispute that.

21 STEVE SCHNEIDER: No, but, but the point is  
22 that there's no fairness right now. They themselves  
23 are the ones that came with the intent of murder. This  
24 is what David said, this is what his statement is to  
25 you people right now. They came with the intent of  
murder. You can, you can fly a chopper around, you'll

1 | be able to view and see, take pictures of the bullet  
2 | holes, the diagonals. You can see that ahead of time.

3 |           His statement about the chopper and them not  
4 | firing upon or from the chopper is totally untrue.  
5 | About knocking at the door, no one knocked at the door.  
6 | And he said one man came to the door. That is totally  
7 | untrue. And if this was filmed by anybody, that should  
8 | be shown, that should be shown. So here are statements  
9 | being made to the world, to the United States, to the  
10 | press that are totally false, and the man is allowed to  
11 | continue to do that. That bothers all of us.

12 |           I mean, where is the truth in this? How are  
13 | you going to go up against an agency like that that is  
14 | still in such control and able to make any kind of  
15 | statements they want? Those are the concerns we have.  
16 | David wanted me to bring that out. And I asked him if  
17 | there was anything else and he brought up a number of  
18 | other things. Some of the people came to me just --  
19 | meanwhile, before -- since I've talked to you, because  
20 | they listened to that last press conference.

21 |           Some of the things that were said was they  
22 | brought up again about how no warrant was ever served  
23 | or seen or stated. There was no statement about it.  
24 | Another thing was -- Let's see here. I want to look  
25 | down -- I just jotted a few things they asked me to  
   | mention. They mentioned something about how the lights

1 are placed on the outside to prevent any hostile  
2 actions on our part, the occupants inside the building.

3           They were bothered, of course, by Kathy  
4 Schroeder being shackled hand and foot. They're  
5 waiting to hear the outcome of that. Another statement  
6 by the ATF agent -- Now, this wasn't by you people.  
7 Now, that's the point now. But the ATF person, the  
8 spokesperson, said that they were fired on from at  
9 least 40 to 50 positions from within inside the complex,  
10 which is untrue, totally untrue.

11           Where does he get that from? Where does he  
12 get that from? Why don't -- If he makes a statement  
13 like that, produce some, some evidence. Anyway, that's  
14 another thing that was brought up that they're  
15 extremely concerned about. But, see, these, these are  
16 some of the issues that they're coming back to me.  
17 David again -- I, I gave you the number of things that  
18 he's concerned about, the dialogue with Philip Arnold  
19 and/or Taber or someone like that, where's the Time and  
20 Newsweek magazines. These are the things that David  
21 has brought up.

22           And, of course, his position with his God and  
23 his waiting for himself as a person. So I wanted to  
24 pass on -- He asked me to go and make these statements  
25 to you in, in his behalf. And at the same time, some  
of the individuals that were listening to the press

1 conference wanted their concerns to be heard.

2 JOHN: You know, Steve, this is all the more  
3 reason for you to come out and meet with Byron, because  
4 he has the answers to all these questions. Okay?

5 STEVE SCHNEIDER: Well, right --

6 JOHN: And you'll continue to be upset --

7 STEVE SCHNEIDER: John, John --

8 JOHN: -- about what you hear, unless you  
9 come out and discuss it.

10 STEVE SCHNEIDER: John --

11 JOHN: And then you come out and have free  
12 access to the press.

13 STEVE SCHNEIDER: -- right now I'd rather  
14 hear -- Like Wayne said, I'm like Wayne on this point  
15 first, I like to be able to digest information and  
16 material about, first of all, like hearing some of the  
17 answers that Byron might have on tape, like you said.  
18 Or those answers that were raised by both Wayne and I  
19 on the day before yesterday? I'd like to be able to  
20 hear that, sift through it, and understand it to my --  
21 the best I can, and then proceed from there.

22 And I don't see that it'd be for myself that  
23 productive at this point to meet today. Not saying  
24 that I'm not going through that, I don't choose to, but  
25 as of today I want to see the response and, and hear  
some of that information first and in a manner, as

1 Wayne said, that, you know, that we've already  
2 established, in fact, which was suggested by yourself  
3 in the beginning. And it's worked and I think that's  
4 gone a long way to establishing or re-establishing a  
5 trust relationship, even with the people that observe  
6 these things.

7           JOHN: Steve, you know, the thing of it is,  
8 this meeting with Byron, all right, you asked for some  
9 questions to be answered the other day. You came back  
10 and you personally said it was good to meet with him  
11 and Sheriff Harwell, you think that we got back on  
12 track that way. And that's all we're asking, is to  
13 meet us again. And if you want -- if you're sincerely  
14 interested in getting this matter resolved and you  
15 really mean what you're telling me, the you will meet  
16 with Byron. You'll see him out there and, you know,  
17 these issues can be addressed.

18           STEVE SCHNEIDER: John, how can you be so  
19 one-sided as to say that when that can be still  
20 answered over the phone? I like Byron. I'd like to be  
21 able to communicate with him more frequently myself  
22 over the phone and even dialogue with him to see what  
23 some of the information he has over the phone. I can  
24 tape the phone conversation, I can play it to the rest.  
25 Or better yet, he can make it in his own time, drop it  
off along with the Newsweek and Time magazines, along

1 | with the Arnold tape, along with, with what you might  
2 | have as a response to David's request for the dialogue  
3 | with the same person, meaning Dr. Arnold.

4 |           This is what I'd like to see, and I think we  
5 | can start moving right off that. But, you know, as to  
6 | this point of time, David is -- Even with me, he's  
7 | suggesting to me Steve, where's the Time and Newsweek  
8 | magazines? He says such a small little thing has  
9 | become -- Really, there's a principle involved here.  
10 | It can, and has to him, become a larger issue. So he  
11 | wants to see that -- You know, these are the kind of  
12 | things that started from a couple weeks ago Sunday with  
13 | our understanding that was brought about with James or  
14 | Jim and myself that never were really reconciled.

15 |           Or on your part, of course, you know, it  
16 | started out -- I hate to say it again, but it's true,  
17 | you know, the Bradleys coming closer, closer, closer,  
18 | even though it was stated by Jim only on the edge of  
19 | the property. But, you know, those things --

20 |           JOHN: Yeah. Steve, look at, look at -- We're  
21 | beyond that now.

22 |           STEVE SCHNEIDER: I know. That's what I'm --

23 |           JOHN: We're beyond that and you keep harping  
24 | on it.

25 |           STEVE SCHNEIDER: No, no, no, no. No, no.  
But don't --



1                   JOHN:  It wasn't me.

2                   STEVE SCHNEIDER:  John, John, don't --

3                   JOHN:  It wasn't my decision.  Okay?

4                   STEVE SCHNEIDER:  No, no.  But that's not the  
5 point.

6                   JOHN:  You'll understand it, I'm sure.

7                   STEVE SCHNEIDER:  No, but that's what, you  
8 know, will always be in the minds of those from that  
9 first day.  So, you know, you can't forget still  
10 what -- how this all began in the first place because  
11 that's why one is here.  You've got to remember, we  
12 were here studying the Bible the day we were attacked.  
13 We were here studying the Bible, which we still want to  
14 do.  All of a sudden, the other agency has totally  
15 disrupted and interrupted our lives.

16                   And, all of a sudden, they're not on trial,  
17 we're on trial.  For what?  I've got to come out --  
18 These people have got to come out, always remember  
19 this, and give up how much time?  Days, months, years  
20 now.  Over for doing what?  Studying the Bible in  
21 America?  And if they had something with David  
22 personally, well, why didn't -- you know, the question  
23 was why didn't Sheriff Harwell come or -- Everybody has  
24 said that across America.

25                   JOHN:  And don't you think that they would  
like to know the answers to those questions?

1           STEVE SCHNEIDER: Yeah, but we still see a  
2 very strong part of the ATF being played in this, even  
3 with the very -- The arrogance even, some of these  
4 people have suggested, of this man to say the things he  
5 has, the total untruth, to be able to come there and be  
6 ambiguous with detailed questions asked by the press  
7 that he does not even acknowledge. I mean, these are  
8 the things that these people are concerned about.

9           Why is -- What part -- And I want you or  
10 someone there in your agency to tell us what part  
11 they're playing right now and what effect they're going  
12 to have and the authority they have, even now, their  
13 total involvement all the way through, because right  
14 now they're playing a humongous part as we can observe.

15           JOHN: That's exactly what Byron is there to  
16 address, those questions and the questions you asked  
17 the other day.

18           STEVE SCHNEIDER: I'd rather, I'd rather  
19 though right now, because of all these issues being  
20 raised, and I want to clarify them, I want to get them  
21 clear, also, for right now today I want some of these  
22 answered first before I sit down with him. Plus, when  
23 I talk with Byron, I want to be able to sit down with  
24 Wayne, who is not finished, but I want to sit down  
25 looking at a number of issues, the legalities of this  
all.

1           You know, he raised questions, but we've got  
2 a, a number of other things we wanted to say in regards  
3 to the legal system, and I would like to have that on  
4 paper or I'd like to be able to present that, probably,  
5 possibly to Byron. But I don't have that yet, so I  
6 don't see at this time that I'm quite ready to meet,  
7 until I have more substantive information I'd like to  
8 discuss with him. I don't see that it'd be that --  
9 that it would avail to that much at this point of time.

10           JOHN: Well, Steve, he's going to be up-front  
11 and he's going to be calling you shortly. All right?

12           STEVE SCHNEIDER: Okay.

13           JOHN: And you can iron it out. And, like I  
14 say, if you really are concerned about these issues,  
15 he's going to have that information.

16           STEVE SCHNEIDER: John, you would know how  
17 concerned I am. I've been so concerned from the first  
18 bullet that I heard shot through that door that Sunday.  
19 I mean, I am. Believe me, I'm concerned.

20           JOHN: And everybody is anxious to get to the  
21 bottom of this.

22           STEVE SCHNEIDER: I was concerned when I was  
23 laying on the floor and I've been concerned every day,  
24 honestly I have been. How could I not be? Here my  
25 life is on the line, my life is at stake, my  
reputation, the future. It's all right here, of

1 course. My beliefs in God, convictions of the Bible,  
2 and all the rest. So, you know, it's, it's a lot to  
3 wade through and it's not, it's not an easy thing,  
4 especially when there's others, also, so many others  
5 involved. So, okay, he's going to be calling here then  
6 very shortly?

7 JOHN: Yeah.

8 STEVE SCHNEIDER: Okay.

9 JOHN: You know Byron, you met him the other  
10 day. I think you understand that he's a good guy.

11 STEVE SCHNEIDER: I believe that.

12 JOHN: And he, he's -- feels the same way  
13 everybody does here.

14 STEVE SCHNEIDER: Good.

15 JOHN: And, you know, the important thing is  
16 that that was a productive meeting the other day. When  
17 I first talked to you, you came back and said gee, it  
18 looks like we're getting things going here.

19 STEVE SCHNEIDER: That's true, that's true.

20 JOHN: And that's what we want to continue.

21 STEVE SCHNEIDER: Okay.

22 JOHN: You understand that?

23 STEVE SCHNEIDER: But remember, you know,  
24 some of these issues that I've raised are -- have  
25 always been on the back burners. They, they don't  
dissipate. Along with, you know, when you hear press

1 conferences with this man, this spokesperson for the  
2 ATF and his statements, they're --

3 JOHN: We don't have a lot of control over  
4 that. Do you understand that?

5 STEVE SCHNEIDER: I know, but, but it's --  
6 No. All I need to do then, John, is hear from you  
7 people a little more information about them, their part  
8 to play.

9 JOHN: That's exactly what we're trying to  
10 do, Steve.

11 STEVE SCHNEIDER: Okay, good, good. Okay,  
12 that's going to help.

13 JOHN: Do you understand that?

14 STEVE SCHNEIDER: Right. That's why I'm  
15 raising the question, John.

16 JOHN: Okay.

17 STEVE SCHNEIDER: That's why I'm raising the  
18 question. John --

19 JOHN: Yeah?

20 STEVE SCHNEIDER: -- Wayne would like to  
21 speak with you.

22 JOHN: Okay.

23 STEVE SCHNEIDER: Just a moment.

24 WAYNE MARTIN: John?

25 JOHN: Yes, Wayne.

WAYNE MARTIN: This is Wayne.

1                   JOHN: How are you?

2                   WAYNE MARTIN: John, I'm sitting here as an  
3 inmate in the federal penitentiary of Mount Carmel and  
4 I have a constitutional right to legal counsel. Now,  
5 you say I'm not under custody. I cannot walk away from  
6 this place.

7                   JOHN: When you come out, Wayne --

8                   WAYNE MARTIN: No, no, no, not when I come  
9 out. I want legal counsel yesterday.

10                  JOHN: Well --

11                  WAYNE MARTIN: That is the number one legal  
12 demand.

13                  JOHN: It's not going to happen until you  
14 come out, Wayne.

15                  WAYNE MARTIN: I'm not going to sit here and  
16 do research for you people. I want access to counsel,  
17 and then my lawyers will speak to you about the legal  
18 issues. And that's the way it's going to be.

19                  JOHN: Well, Wayne, like I say, you have  
20 immediate access to counsel when you come out of there,  
21 and you've got immediate access to the press.

22                  WAYNE MARTIN: Yesterday, John --

23                  JOHN: And I know with your legal background,  
24 you know, that you'll be very effective. But, you  
25 know, it's going to happen when you come out.

                  WAYNE MARTIN: I cannot be effective when I'm

1 sitting in a federal penitentiary. I cannot be  
2 anybody's lawyer that way, not, not, not to mention my  
3 own lawyer. I'm refusing to be my own lawyer, John.  
4 I'm not a fool.

5 JOHN: Wayne, can I tell you something?

6 WAYNE MARTIN: I'm not a fool, John.

7 JOHN: I understand that. I understand that  
8 you're a well educated man. But the thing of it is,  
9 the federal judge has already ruled on that.

10 WAYNE MARTIN: I've asked that federal judge  
11 to be -- to recuse himself. He needs to get off the  
12 case. We need --

13 JOHN: All right.

14 WAYNE MARTIN: We need another court to be in  
15 charge of this matter. That is not the only federal  
16 judge in the land. We reject him as a federal judge.  
17 He's unconstitutional.

18 JOHN: Well, Wayne, listen, we've talked to  
19 Steve and we've told him that Byron is going to call,  
20 and if, you know, like I say, if there's some problem  
21 with you going out there, you know, maybe Steve could  
22 go out and discuss it for you with, with Byron. But he  
23 will be calling there shortly and maybe we can get some  
24 things resolved that way.

25 WAYNE MARTIN: Maybe.

JOHN: Okay?

1 WAYNE MARTIN: Okay.

2 JOHN: All right. We're -- You know, we're  
3 working and, and we've just got to have you work also.

4 \* \* \* \* \*

5 UNIDENTIFIED MALE SPEAKER: Okay, go ahead.

6 STEVE SCHNEIDER: Okay. Hello?

7 BYRON: Steve?

8 STEVE SCHNEIDER: Yeah.

9 BYRON: Sound like you're down at the end of  
10 a hole here.

11 STEVE SCHNEIDER: It's down at the end of a  
12 tunnel, huh?

13 BYRON: I've been -- I can relate to that.  
14 I've been sitting out here in this, in this Bradley for  
15 a while.

16 STEVE SCHNEIDER: Oh.

17 BYRON: Listen, I'm, I'm -- My spirits are  
18 up, I'm a little excited. I think we've been able to  
19 get you some answers to some of the questions you had a  
20 couple days ago.

21 STEVE SCHNEIDER: Okay.

22 BYRON: But I think you'll find very  
23 receptive -- We're ready to go, right around the corner  
24 from you. So what kind of time frame do you want me to  
25 tell these guys?

STEVE SCHNEIDER: Well, like I was saying, if



1 | you listen -- I was just talking with John for at least  
2 | probably 20 minutes, a half hour, laying down some of  
3 | the concerns of David. Some of the people came to me,  
4 | we talked about the press conference today, the ongoing  
5 | statements by the ATF spokesperson. That is -- That,  
6 | that has been a great concern also from the beginning.

7 |               BYRON: Yeah.

8 |               STEVE SCHNEIDER: And they're --

9 |               BYRON: I saw just bits and pieces of the  
10 | press conference today, so I'm a little bit at a  
11 | disadvantage.

12 |               STEVE SCHNEIDER: Right. Well, see, that,  
13 | that is playing a big part. And the question always  
14 | arises of their involvement in all this and their  
15 | ongoing involvement, where David made some pretty  
16 | strong statements he wanted me to relay today to either  
17 | yourself or to John.

18 |               BYRON: Okay.

19 |               STEVE SCHNEIDER: And --

20 |               BYRON: Let's go ahead and do that.

21 |               STEVE SCHNEIDER: Okay. I'll try to go  
22 | through the whole list again, as I did with John. I  
23 | know he recorded it, but --

24 |               BYRON: Well, wait a minute.

25 |               STEVE SCHNEIDER: Okay.

              BYRON: Steve, I've got, I've got a bunch of

1 | people that are basically waiting on me and I've kicked  
2 | them out of, out of a little phone booth here,  
3 | basically, to -- just to use this for a little bit. I  
4 | don't think I'm going to have access to this phone for  
5 | too long. But I've got, I've got the -- I've got some  
6 | documents that I think you're going to definitely --  
7 | you and Wayne or you -- It's fine with me, I can talk  
8 | to both of you or just you.

9 |               STEVE SCHNEIDER: All right.

10 |              BYRON: -- that I think you'll find  
11 | interesting. And instead of just getting it word-of-  
12 | mouth from me or John or, or whoever, I went ahead and  
13 | made a point of, of -- I've been to the U.S. Attorney's  
14 | Office, I've been to, to -- down to the federal  
15 | courthouse and, and so forth, trying to get specific  
16 | documents so that we can bring them out and give them  
17 | to you, so that you can, you know, take those back in,  
18 | show them to David, show them to Wayne, put them in  
19 | your file, whatever you want to do, to show you hard  
20 | and fast proof that what I'm telling you is accurate.

21 |              STEVE SCHNEIDER: Okay. Well, let's let, let  
22 | the established procedure by right from Jim on those  
23 | first nights and days that we worked with you all, you  
24 | know, the suggestion was also on your part that --  
25 | where the drop-offs would be, how the procedure would  
   | go. That has worked very well and --

1 BYRON: Yes, it has, but in this instance --

2 STEVE SCHNEIDER: Pardon?

3 BYRON: In this instance, Steve, we've got a  
4 situation where I need to be able to point out certain  
5 things to you in the documents. And I got kind of an  
6 indication from, from John that, that you might be a  
7 little concerned that there's some shenanigans afoot.  
8 That, that is not the case. I mean, I -- The sheriff  
9 and I came out in good faith, what, two days ago. We  
10 were ready to go yesterday.

11 STEVE SCHNEIDER: Right.

12 BYRON: Stand there talking to you in the  
13 middle of the road, I mean, I'm not going to put myself  
14 in that kind of --

15 STEVE SCHNEIDER: Well, see, all, all the  
16 issues that, that I need to talk to you about and  
17 what -- that which I've already relayed to John here --

18 BYRON: Okay.

19 STEVE SCHNEIDER: -- are things that I want  
20 you to be able to look at and hear. One of the  
21 greatest concerns has always been, and still is, if not  
22 all the more so, the involvement, even up to this point  
23 of time, of the ATF spokesperson of that agency.

24 BYRON: Yeah.

25 STEVE SCHNEIDER: And David -- See, this is  
why he wanted me to relay clearly again, especially as

1 a reaction to the press conference and so forth. He  
2 says like, you know, here we were that day getting  
3 ready to study the Bible in innocency. We were here by  
4 choice to, to look at God's word, to gain information,  
5 to live our lives accordingly, when all of that was  
6 disrupted.

7 BYRON: Yeah.

8 STEVE SCHNEIDER: Not by any choice or part  
9 of any of the persons here.

10 BYRON: Right.

11 STEVE SCHNEIDER: And from that point of  
12 time, now, all of a sudden, we're being hurled into a  
13 system which is going to take days, weeks, months,  
14 years of our life, and why is this?

15 BYRON: Well --

16 STEVE SCHNEIDER: Well, see -- And the point  
17 being, here's a person in behalf of the ATF giving  
18 statements that are totally untrue. He says that they  
19 did not fire from the helicopter. All it would take is  
20 a ballistics test, or all you have to do is see the  
21 diagonal of, of the bullets and how they entered into  
22 the building --

23 BYRON: Exactly.

24 STEVE SCHNEIDER: -- from, from the heights  
25 above.

BYRON: Steve --

1                   STEVE SCHNEIDER: The water tanks that were  
2 shot from a diagonal, from also the chopper and so  
3 forth. There were three choppers obviously involved.  
4 We've never even heard that on the news or given from a  
5 press conference. See, these are the kind of  
6 statements, and when he says that a man, one man, came  
7 to the door and knocked at the door, that is not at all  
8 true. So here's someone that came, David believes,  
9 with the intent of murder by just what the helicopters  
10 did, by what happened at the front door, he's able to  
11 speak.

12                   BYRON: Um-hum.

13                   STEVE SCHNEIDER: He's able to disseminate  
14 whatever kind of information he chooses. He's got an  
15 open line to the press, to the world. We don't.

16                   BYRON: Okay.

17                   STEVE SCHNEIDER: So here's somebody that  
18 actually came and, and Perry Jones was killed. He was  
19 shot.

20                   BYRON: Steve. Steve, let me address --

21                   STEVE SCHNEIDER: You know, it's --

22                   BYRON: Let me address that issue with you.

23                   STEVE SCHNEIDER: I just want to say, you  
24 know, this is -- these are the things that they're  
25 extremely -- And this man is there talking day after  
day, in the morning, ambiguous to detailed questions

1 from the press.

2 BYRON: Steve.

3 STEVE SCHNEIDER: The press themselves --

4 BYRON: Steve.

5 STEVE SCHNEIDER: Yeah?

6 BYRON: Hey.

7 STEVE SCHNEIDER: Yeah?

8 BYRON: Take a breath, let me just interject  
9 a couple of thoughts.

10 STEVE SCHNEIDER: All right, go ahead.

11 BYRON: I understand exactly what you're  
12 saying. That's why --

13 STEVE SCHNEIDER: Okay.

14 BYRON: -- I've been running around trying to  
15 get these things resolved.

16 STEVE SCHNEIDER: Great, great.

17 BYRON: You have a valid point. Okay? We've  
18 never debated that with you. In fact --

19 STEVE SCHNEIDER: Right, you haven't.

20 BYRON: -- working through these issues and  
21 finding the common ground is why we're here.

22 STEVE SCHNEIDER: Okay.

23 BYRON: And I think that we've made  
24 significant strides in, in being able to relay some  
25 things to you that, frankly, we could, we could run  
things forward, we could, you know, do drops and so

1 | forth, but there are some specific things that I want  
2 | to point out to you in some of these documents. And,  
3 | by the way, I was able to get a copy of -- Actually,  
4 | it's an original fax directly from the U.S. Attorney of  
5 | the search warrant and the arrest warrant so that you  
6 | can look at those.

7 |           But there are certain aspects of those things  
8 | that I want to go over with you, so that it's perfectly  
9 | clear in your mind, you don't misunderstand any  
10 | statements, you pick up on all the pertinent issues --

11 |           STEVE SCHNEIDER: I understand.

12 |           BYRON: -- and so forth.

13 |           STEVE SCHNEIDER: At this point of time,  
14 | because I want to be able to digest information, even  
15 | some of the answers you have, I, in honesty, am not  
16 | willing right today to come walking out there. But I,  
17 | I would have you to drop that information off and  
18 | dialogue with you over the phone if I have questions or  
19 | if you have any --

20 |           BYRON: Steve, wait, Steve --

21 |           STEVE SCHNEIDER: -- personal points to make  
22 | in regards to this.

23 |           BYRON: -- I'm right around the corner, okay?  
24 | The Bradley's sitting here idling. I'm, I'm five  
25 | minutes from your location probably. I don't  
understand why if, if you and I --

1           STEVE SCHNEIDER: See, I don't see a  
2 necessity at this point of time, until I can gain more  
3 information from you --

4           BYRON: But that's what I'm trying to do, is  
5 give you the very information that you want to be able  
6 to go over. And I want you -- I want to be able to  
7 stand there with you so that you can look me straight  
8 in the eye and I can tell you the truth --

9           STEVE SCHNEIDER: Honestly, I, I trust you  
10 enough, but I -- at this time, I don't see it necessary  
11 or a necessity to, to stand out there, when you can  
12 tell me over the telephone.

13           BYRON: Steve, here's one of the critical  
14 problems that, that we're having. Not necessarily you  
15 and I, but basically David and us trying to get this  
16 thing reserved -- resolved. Okay? And that is that,  
17 that everything has been 100 percent your call. And  
18 we've tried -- Believe me, this is -- I'm between a  
19 rock and a hard spot here as far as trying to relay  
20 this in a palatable fashion to the people that I report  
21 to. The commanders have -- I think have  
22 demonstrated -- You've got to admit that they've  
23 demonstrated a great deal of --

24           STEVE SCHNEIDER: I'm sorry, I didn't hear  
25 the first big -- You said --

          BYRON: -- resolve in trying to work this



1 | thing out for going on three weeks now.

2 |           STEVE SCHNEIDER: The first statement you  
3 | made, though, before you said between a hard place and  
4 | a rock. You said something, that we've had it our way.  
5 | Is that what you said?

6 |           BYRON: Basically, yes. I mean, you've,  
7 | you've called times, you've called locations and --  
8 | Now, let's, let's you and I continue on the premises --

9 |           STEVE SCHNEIDER: No. Let's, let's, let's  
10 | you and I -- Byron, let's you and I say it this way.  
11 | The ATF has -- they've had it their way from day one.  
12 | Let's you and I say that.

13 |           BYRON: Yeah. I'm not debating that with you  
14 | at all.

15 |           STEVE SCHNEIDER: They're the ones that  
16 | started this thing, they're the ones that are still  
17 | totally involved in this, they're the ones making  
18 | untrue statements at which -- And they're allowed to do  
19 | that, whether it's by your agency, with your agency, if  
20 | the government's allowing it. One thing that's for  
21 | sure, you, the FBI, have definitely cut us off from any  
22 | kind of -- being able to express opinions, statements,  
23 | statements of facts or anything else.

24 |           So that, of course, terrifies people within  
25 | here. Of course it would.

          BYRON: Steve, I have --

1               STEVE SCHNEIDER: The very ones that came to  
2 do us harm have all the advantage and opportunity to  
3 say anything they want to do. And the man even states  
4 it like he's after blood. You'd have to be an imbecile  
5 not to see what's coming through the man, what he, what  
6 he's stating to the press about gaining even -- or  
7 getting ahold of people who might have given  
8 information from the news or that gave us information.  
9 We told them in honesty from the beginning no one even  
10 called us.

11               BYRON: Steve --

12               STEVE SCHNEIDER: But, anyway, I can see the  
13 man, what he's got in mind, what he wants to do. He's  
14 involved in this. It's going to be his way. He  
15 shouldn't even be involved. There should be such an  
16 investigation by the government that the press knows  
17 about to bring these men to justice. And if there's  
18 people on our part that are involved, well, that should  
19 be also. But I would like to see -- They've already  
20 got the -- have the ability to pick up these men and to  
21 do something about it now.

22               Let us be able to see the ones that came to  
23 attack also are having a definite investigation. I'm  
24 not hearing anything in the press about the ATF being  
25 investigated, nothing whatsoever.

                  BYRON: Steve --

1 STEVE SCHNEIDER: That bothers me.

2 BYRON: Steve! Let me talk once in a while,  
3 okay?

4 STEVE SCHNEIDER: Okay.

5 BYRON: You know, why don't you record it and  
6 send it in?

7 STEVE SCHNEIDER: Byron, I just wanted to,  
8 you know, get the point out as clear as I could.

9 BYRON: And I understand your point. I'm  
10 not, I'm not disagreeing with --

11 STEVE SCHNEIDER: Okay.

12 BYRON: -- with anything you've said so far.

13 STEVE SCHNEIDER: Okay, go ahead.

14 BYRON: What I'm trying to tell you, those  
15 are the very issues that I want to be able to talk to  
16 you about, but, frankly, I don't like talking over a  
17 phone.

18 STEVE SCHNEIDER: I don't mind, I really -- I  
19 don't mind.

20 BYRON: Okay, you don't mind and it's --  
21 frankly, for the long term, it's the best way to handle  
22 it, is to continue to have you calling in and talking  
23 to the guys that, that have direct access to a myriad  
24 of information that we can try to get answers for you.  
25 But what I'm telling you is -- Basically, what you're  
telling me is you don't really give a flip about the

1 fact that I've been running around for a day-and-a-half  
2 collecting this information.

3 STEVE SCHNEIDER: That's -- Byron, that's --

4 BYRON: Let me finish, please. I'm trying to  
5 impart this information to you and I think there's  
6 some, some information here that's very valuable for  
7 you. There's information that I've had to, to --

8 (End of Tape 4x.)  
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U.S. DEPARTMENT OF THE TREASURY  
BUREAU OF ALCOHOL, TOBACCO & FIREARMS

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TAPE #5x

3/17/93  
1:28 P.M. - 2:14 P.M.

1 (Tape 5x)

2 STEVE SCHNEIDER: Because I -- Don't say I  
3 don't give a flip. You know that. Don't, don't make  
4 statements like that. I mean, that's an insult.

5 BYRON: Okay. Well, we both -- That's what  
6 I'm talking about. You and I need to be able to, to --

7 STEVE SCHNEIDER: It doesn't -- Why does it  
8 necessitate that I look at your face, that you look at  
9 mine? Be reasonable with me.

10 BYRON: Steve --

11 STEVE SCHNEIDER: You know, I, I wasn't born  
12 yesterday.

13 BYRON: Neither was I.

14 STEVE SCHNEIDER: You and I don't -- fight  
15 with one another. I've been trying to be as decent and  
16 cordial with you, and I want to be. But, remember, of  
17 course, I have some distrust and, and reserve about  
18 these things. Of course I do.

19 BYRON: Steve --

20 STEVE SCHNEIDER: When you're standing on --  
21 ground, okay?

22 BYRON: Wait, wait.

23 STEVE SCHNEIDER: When you said to me that  
24 Wayne and I would walk out there, being unarmed, and  
25 you would be unarmed, I mean, I came there and looking  
behind the both of you and the way, of course, they

1 | grabbed you by the back of the pants and pulled you  
2 | back by the Bradley there, the way the two men were,  
3 | they were so armed, as they were, pointing the guns.

4 |           BYRON: Right.

5 |           STEVE SCHNEIDER: Fidgety. The look on the  
6 | face, no smiles. These guys looked like if they would  
7 | have had their opportunity they would have liked to  
8 | have taken us out. That's the way it appeared to me.

9 |           BYRON: Those people are not there for that  
10 | purpose.

11 |           STEVE SCHNEIDER: Well, why did -- why  
12 | couldn't the man at least smile?

13 |           BYRON: Let me explain that to you.

14 |           STEVE SCHNEIDER: Okay.

15 |           BYRON: That man has got a job.

16 |           STEVE SCHNEIDER: Okay.

17 |           BYRON: And he is extremely proficient at  
18 | being able to carry out his mission, and that mission  
19 | is the safe -- Listen to me -- the safe resolution of  
20 | the situation if it has to go tactical. We don't want  
21 | that. That's why I'm here. Okay? But I'm -- The  
22 | reason he's not smiling at you, Steve, is because he's  
23 | there to provide one thing and one thing only, and  
24 | that's safety. And whether you understand it, it's  
25 | safety for you as well as it was for --

          STEVE SCHNEIDER: Well, you know --

1           BYRON:  -- for the sheriff and I.

2           STEVE SCHNEIDER:  That I --

3           BYRON:  Let me finish.  Just a moment.

4           STEVE SCHNEIDER:  Okay.

5           BYRON:  The reason that he's sitting there  
6 stoic and so forth -- And I turned around to look,  
7 because, you know, besides him pulling me back by the  
8 nap of my neck when I tried to walk out to talk to you  
9 guys, he's got a specific mission, and that is to  
10 ensure the safety of all people there.  We don't want  
11 this thing to escalate.  That's his reason for being  
12 there.  He's not there in an offensive manner, he's  
13 there in a defensive manner, and it applies to you as  
14 much as it did to us.

15                   Now, if he didn't smile at you and so forth,  
16 that's because we're in a situation that we need to get  
17 resolved now.  We need to get it resolved just as soon  
18 as possible so that nobody's nerves, nobody's tension,  
19 nobody's frustration gets in the way.  Now, I'm telling  
20 you that we're prepared to do it.  We're prepared to  
21 resolve this matter right now, safely, orderly.  Get  
22 everybody out, give you an opportunity to talk to the  
23 media, give you legal representation, give you medical  
24 attention that you've talked about before.  But we can  
25 only do that if we can get this thing resolved.

                  STEVE SCHNEIDER:  Byron, I would really like



1 | you to hear what Wayne had to say to John earlier as to  
2 | some of my statements that were on behalf of --

3 |           BYRON: Bring Wayne with you out.

4 |           STEVE SCHNEIDER: -- David and people with  
5 | their concerns.

6 |           BYRON: Bring Wayne with you when you come  
7 | out and you can --

8 |           STEVE SCHNEIDER: We're not, we're not going

9 | --           BYRON: -- tell me again.

10 |           STEVE SCHNEIDER: Byron, I'm going to tell  
11 | you, okay, so I'm not going to lead you on or anything.  
12 | It's not going to happen that way today. I'm not  
13 | saying tomorrow or whatever. Today it's not going to  
14 | happen.

15 |           BYRON: Why is that?

16 |           STEVE SCHNEIDER: I don't choose to do it. I  
17 | want to hear --

18 |           BYRON: Okay, now, I get back to my  
19 | original -- Do you understand, Steve? You don't choose  
20 | to do it.

21 |           STEVE SCHNEIDER: You're not allowing me to  
22 | talk. Do you want -- Byron, you're okay, but allow me  
23 | to say something here, because it's going to be that  
24 | way. I'm not willing today to go walking out there.  
25 | You say you have information prepared, you've got tapes  
   | and so forth. David requested a dialogue with a man by

1 the name of Dr. Arnold. Where's the Newsweek, the  
2 Time? Drop that off and let's take a look at some  
3 things you do have, and then let's pick up from there.

4 But right now I'm not willing at this point  
5 of time, until I see some of those things and I take a  
6 little time to digest it and then give a response to  
7 you. And then let's -- When I've got something more  
8 substantive, then I'll get back with you and we'll see  
9 what we can work out.

10 BYRON: What happened to the -- Steve, what  
11 happened to this list that, that Wayne was preparing,  
12 that we were going to be able to --

13 STEVE SCHNEIDER: He just made a statement.  
14 Remember how I said yesterday that I was waiting for  
15 it, also? Well, he just -- And which he has not done.  
16 He gave his reasons to John. He says let me speak with  
17 John. He just gave clearly the reason. He did not  
18 tell me before, but he made it clear and I heard what  
19 he said and it made sense to me, also, the statement he  
20 gave to John and, and the reason for that at this point  
21 of time.

22 He said to the effect that he did not want to  
23 be doing all this work for them. He is an attorney.  
24 How would it benefit him? He sees us as not only being  
25 under house arrest, but he explained that this is a  
federal penitentiary basically that we're confined to

1 right now. That was his statement. That he himself  
2 needs counsel to proceed even from here, even before  
3 walking out of the building, in, in certain areas of  
4 the law that he is not -- which is not his expertise.

5 BYRON: Okay. And I can understand that.

6 STEVE SCHNEIDER: Right.

7 BYRON: I, I think it's fairly obvious that  
8 you need a little, you need a little more legal  
9 counsel, which you've been asking for.

10 STEVE SCHNEIDER: Exactly.

11 BYRON: All right. And I don't have a  
12 problem with that.

13 STEVE SCHNEIDER: Right.

14 BYRON: We, we stand ready. You know, in  
15 fact, one of the items that I want to give to you is a  
16 confirmation of an attorney's notification of us that,  
17 that he's been retained. Now, you and I have talked  
18 about this before, but we'll send in a copy of the  
19 actual letter to show you that --

20 STEVE SCHNEIDER: Okay, that's great. Now,  
21 that's more help.

22 BYRON: -- that that's truthful.

23 STEVE SCHNEIDER: Okay.

24 BYRON: Okay? Now, let me -- It's -- I'll  
25 tell you, it's, it's disappointing to me, and I'm going  
to have to try to explain it away to, you know, to my

1 chief that -- as to why -- And I hope this isn't a  
2 demonstration that you don't trust me.

3 STEVE SCHNEIDER: No, it's not.

4 BYRON: Okay. You know, I --

5 STEVE SCHNEIDER: But, remember, you've got  
6 to remember --

7 BYRON: -- an explanation as to why --

8 STEVE SCHNEIDER: Well, Byron, let me give  
9 you an explanation. Because you guys -- Like you have  
10 said yourself and as John Dolan and John Cox and  
11 everybody else, that you, you have stated over and over  
12 again you're not in control, that you have superiors  
13 over yourselves that make the decisions as of what took  
14 place because of last Friday, Friday evening and  
15 Saturday and so forth, which really turned this thing  
16 totally completely around for a while.

17 BYRON: That's true.

18 STEVE SCHNEIDER: And we're trying to recover  
19 the pieces.

20 BYRON: That's true, and that's why I'm here.

21 STEVE SCHNEIDER: But this is what I'm  
22 saying.

23 BYRON: I'm trying to recover those pieces.

24 STEVE SCHNEIDER: But, see, it's not you as a  
25 person. That's why don't, don't be offended because,  
you know, I'm still in a precarious position myself, as

1 | these people are. And it deals with issues of the  
2 | Constitution, it deals with issues of freedom, of what  
3 | actually took place, of the involvement of the  
4 | perpetrators and what's going to happen to them, as  
5 | well as ourselves, and the issues -- the religious  
6 | aspects, which are the main ones to us.

7 |           BYRON: Steve, I've got answers to the  
8 | majority of those things for you.

9 |           STEVE SCHNEIDER: Okay.

10 |           BYRON: Okay? That's why -- Believe me, I  
11 | could have stepped back to, you know, stayed under the  
12 | speed limit trying to get some of these things rounded  
13 | up, but I wanted to be responsive.

14 |           STEVE SCHNEIDER: I appreciate that, I really  
15 | do.

16 |           BYRON: Okay. We've, we've -- I think you  
17 | will find when we do meet that, that I've got some of  
18 | these answers for you that, that are not just going to  
19 | be imparted to you by, by merely reading documents.  
20 | There are things that you and I need to be able to sit  
21 | down and discuss. And, quite frankly, and please think  
22 | about the statement I'm going to make to you, I've  
23 | talked to you, Steve, since the 28th of February when  
24 | this tragedy occurred.

25 |           STEVE SCHNEIDER: Right.

          BYRON: I've been there since, since within

1 | hours of the first shot being fired. The sole purpose,  
2 | the only reason that I've responded up here is to try  
3 | to work through this thing so that we can resolve the  
4 | matter without anyone else being injured. Okay?

5 |               STEVE SCHNEIDER: By the way, just for --

6 |               BYRON: Having the opportunity to talk to you  
7 | face to face fills in a lot of questions that I had as  
8 | to who this person is and is he, is he straightforward,  
9 | is he honest. I put a great deal of, of respect in  
10 | whether or not a person can look me right straight in  
11 | the eye. You and I had that kind of connect down  
12 | there. That's what I want to continue. There's  
13 | nothing sinister about this, there's nothing that I'm  
14 | trying to pull on you.

15 |               There's -- You know, I just want to have the  
16 | opportunity to show you a little bit of, of respect,  
17 | going out and being willing to step out from behind  
18 | that tank and meet you in the middle of the road and  
19 | talk to you man to man.

20 |               STEVE SCHNEIDER: Well, that may happen, but  
21 | not today.

22 |               BYRON: Okay. When -- Do you have any idea  
23 | when you're thinking about doing it?

24 |               STEVE SCHNEIDER: Well, let, let's see, let's  
25 | see the Newsweek, the Time, the Arnold tape and some of  
your information that you've picked up and whatever --

1 Let's be able to look at that today --

2 BYRON: Let me make a statement to you.

3 STEVE SCHNEIDER: Pardon?

4 BYRON: Let me make a statement to you,

5 Steve --

6 STEVE SCHNEIDER: All right.

7 BYRON: -- 'cause I know I'm about -- I'm  
8 fixing to hear it from my boss.

9 STEVE SCHNEIDER: Okay.

10 BYRON: Okay? The patience of the federal  
11 government is not endless. Do you understand?

12 STEVE SCHNEIDER: The patience of the federal  
13 government --

14 BYRON: Is not endless.

15 STEVE SCHNEIDER: -- is not endless?

16 BYRON: Now, we've been here for, you know,  
17 17 days.. If it's up to me, I'm not, I'm not putting  
18 any ultimatums on you here, but what I'm trying to tell  
19 you mainly --

20 STEVE SCHNEIDER: Listen, Byron, let me --  
21 David just overheard me and he said the patience of God  
22 is also not endless.

23 BYRON: That's good.

24 STEVE SCHNEIDER: That's what David says.

25 BYRON: Tell him I understand that and  
respect it.

1 STEVE SCHNEIDER: He says I understand that  
2 and respect that.

3 BYRON: But what I'm trying to tell you,  
4 okay, is that --

5 STEVE SCHNEIDER: He said not, not yet you  
6 do.

7 BYRON: No, I think I do, but I'm not, I'm  
8 not trying to be argumentative here, okay? What I am  
9 trying to tell you, though, is, is if David is there --  
10 Can I talk to David?

11 STEVE SCHNEIDER: Just a moment. [gap] Yes,  
12 yeah, just a minute.

13 BYRON: Great. Thank you.

14 [gap]

15 DAVID KORESH: Mr. Byron.

16 BYRON: David, how are you, sir?

17 DAVID KORESH: I'm doing real well. How you  
18 doing?

19 BYRON: Good. Unfortunately, probably a  
20 little better than you. How are you wounds feeling?

21 DAVID KORESH: Oh, I'm doing just fine.

22 BYRON: Okay. All right. I've, I've been  
23 talking to Steve. I don't know if -- Did he have me on  
24 a speaker phone or were you able to hear most of what I  
25 told him?

DAVID KORESH: Well, I just came downstairs



1 | when I, when I -- the conversation.

2 |           BYRON: Okay. Glad you're getting around a  
3 | little better. What I wanted to impart to him, and  
4 | I've been -- I don't know if you had an opportunity to  
5 | observe our meeting the other day.

6 |           DAVID KORESH: No, I wasn't up then.

7 |           BYRON: Okay. But we had an opportunity, and  
8 | I consider it to, to have been just that, a very  
9 | positive opportunity to meet with Steve and with Wayne.  
10 | And, and you've got some good guys working for you  
11 | there.

12 |           DAVID KORESH: Well, they don't work for me,  
13 | they work for who I work for.

14 |           BYRON: That's right. Okay, I, I -- And I  
15 | can understand that. But what I'm saying is, is I  
16 | think they're serving everybody's best interests,  
17 | they're trying to do a good job. And so am I.  
18 | Including for who you -- who we all work for. What I  
19 | was trying to impart to Steve was the fact that based  
20 | upon some of the questions that they broached, the  
21 | specific questions regarding, you know, the potential  
22 | of forfeiture or seizure of your property and the legal  
23 | counsel issues and the importance of a crime scene  
24 | search to preserve what Wayne referred to as the legal  
25 | evidence that you all specifically have some concerns  
   | about, sealed documents, the involvement of -- is this

1 purely a federal investigation or are we also talking  
2 about state agencies such as the Texas Rangers, which  
3 are -- which is an exceptional organization.

4 In fact, I'm out here with the sheriff right  
5 now. We're right around the corner from you all and we  
6 came out here to, to bring some of the results of the,  
7 the inquiries. I've been running around like, like mad  
8 here for the last day-and-a-half now, trying to gather  
9 some of the information that you all wanted, so that we  
10 could sit down face to face, man to man, looking one  
11 another in the eye, so that he knows that I'm coming  
12 from the heart here. This is the truth.

13 I think you have that respect for the  
14 sheriff. The reason that I, I feel that it's, it's  
15 urgent that we do something like this is because I want  
16 you to be able to have the feeling that I'm not running  
17 any kind of a game on you. I'm telling you exactly the  
18 truth as I --

19 DAVID KORESH: Mr. Byron, Mr. -- The problem  
20 that we're dealing with right now, and you're aware of  
21 it, is that myself being a fisherman from a long ways  
22 back, you know, in the game of fishery we try to, we  
23 try to use the best lures possible to convince the fish  
24 of the safe kill. Right?

25 BYRON: Yes.

DAVID KORESH: But, of course, what happens

1 | is the fish are ignorant of hooks and gavels that are  
2 | on the lures. And so what we're saying is we're  
3 | saying, you know, from your point, from the counselor's  
4 | point, you know, very positive definite moves forward  
5 | in our negotiation. But what we see behind you, what  
6 | you keep referring to as your commanders, is a very  
7 | offensive threat which is not a threat to me or the  
8 | people here.

9 |           As I said before, you know, you feel that  
10 | you're very well armed, you feel that you're very well  
11 | in a defensive position or an offensive position. But  
12 | what you fail to understand is the important thing that  
13 | we're looking at. By trying to push to the side what  
14 | we're looking at, you fail to understand where we're  
15 | coming from. And as long as you remain to do that,  
16 | our, our communication together is just going to be a  
17 | stand still.

18 |           BYRON: Yeah.

19 |           DAVID KORESH: You're failing to understand  
20 | our convictions, what our responsibilities are, you  
21 | see. Whereas, we are agree with you. We understand  
22 | what your responsibilities and obligations are to the  
23 | power that you're under, under submission to.

24 |           BYRON: Okay.

25 |           DAVID KORESH: Okay. So we've asked you all  
along that our position be allowed to settle itself by,

1 | you know, letting, letting us talk with somebody --  
2 | letting the people here hear somebody who claims to  
3 | have a knowledge of these seals. Remember, the seals  
4 | are the political thing. It's not a religious thing,  
5 | it's a political thing. God is a very political thing.

6 |           BYRON: Okay.

7 |           DAVID KORESH: You know, the nations of the  
8 | Babylon, Medo-Persia, Greece, and Rome, before America  
9 | became a great empire, there were other empires just  
10 | like this nation, invincible, immovable. But the God  
11 | who creates what shall be from the foundation of the  
12 | world, to the end thereof, has stated that likewise as  
13 | each nation comes up consecutively, each nation shall  
14 | fall the way God preordains.

15 |           BYRON: Okay.

16 |           DAVID KORESH: Now, you're coming to me,  
17 | telling me to negotiate, and I'm willing to do so.  
18 | Give and take position, I'm willing to do so. I made  
19 | the first move to send the children out. You all are  
20 | the ones that stopped that, not me. You all are the  
21 | ones that showed, by your crafty ways, that you were  
22 | not in sincerity to your position and so I stopped  
23 | that, because my God told me to stop that. And since  
24 | then, we've seen a continual digression on your part.

25 |           You're not living up to what you promised us.  
You've done things to try, to try to aggravate us. Not

1 | that we're aggravated. We hold no prejudice against  
2 | you or anybody on the outside. You're just doing what  
3 | you're told to by your commanders. So, you know, it's  
4 | kind of a hard position that we're in because you do  
5 | not understand where we're coming from. You  
6 | understand?

7 |               BYRON: Yes, I do understand.

8 |               DAVID KORESH: You know, and by trying to, by  
9 | trying to, to shut us up in our position, you know,  
10 | you're continuing to keep yourself in ignorance of what  
11 | our position really is, and we just can't communicate.  
12 | It's like, it's like me being an Eskimo and you being  
13 | from Hawaii, we just don't understand each other's  
14 | territory.

15 |               BYRON: David, I understand, I understand  
16 | what you're saying. I've been here, like I say, I  
17 | think exercising a great deal of patience since, since  
18 | the first day. I've --

19 |               DAVID KORESH: Patience meaning forbearance  
20 | towards us?

21 |               BYRON: No, no. I'm talking about a commonly  
22 | focused objective that I felt that you had and that we  
23 | had to try to get this thing resolved without any  
24 | unfortunate injuries or loss -- further loss of life.

25 |               DAVID KORESH: Well, we, we don't want you  
all guys to get hurt at all. We're for sure of that.

1 We've all discussed that. God doesn't want that. We  
2 know you're -- in regards to your position.

3           BYRON: We don't want that, either. Okay?  
4 David, we don't want that either, and that's an  
5 understanding that we can build on. But what I was  
6 trying to tell Steve and what I'm trying to tell you,  
7 and I don't mean this -- Well, maybe I do mean this in  
8 a, an offensive fashion. But what I've got to impart  
9 to you, because you need to realize that I have got  
10 people that I have to answer to and I know that you and  
11 I both have God that we have to answer to.

12           DAVID KORESH: Exactly.

13           BYRON: But this issue has got to be  
14 resolved. You have certain points that you want to be  
15 able to make. We have worked our, our rears off trying  
16 to facilitate that for you. We've made arrangements  
17 for legal counsel. I've got copies, documents of --  
18 that confirm legal representation. Access to the media  
19 has been arranged. Just right on down the line. I've  
20 got statement that I've gotten the U.S. Attorney's  
21 Office to commit to on paper that I want to, to be able  
22 to show you, ensuring you about the, the safety of your  
23 home and so forth, so that people when they come out,  
24 we get this thing resolved, they've got a place to go  
25 back to.

          DAVID KORESH: Are we talking about the

1 safety and respect of the property that's already been  
2 destroyed thus far? Is that what we're talking about?

3 BYRON: That's, that's another issue that you  
4 could bring up in court, but that's the proper forum.

5 DAVID KORESH: Oh, it's the proper forum for  
6 you to state. We understand it's for you to state any  
7 and all things that you feel will be applicable (sic) to  
8 get your point across. But the thing is this.

9 BYRON: David, this isn't just my point. I'm  
10 trying to meet you halfway --

11 DAVID KORESH: You've already shown us --

12 BYRON: -- and you're not coming forward with  
13 it.

14 DAVID KORESH: -- that you have no power over  
15 the commanders.

16 BYRON: I'm sorry?

17 DAVID KORESH: You've already showed us that  
18 you have no power over the commanders. You stated one  
19 thing to us in confidence. We were complying with it,  
20 we had a good relationship going. And, all of a  
21 sudden, your commanders started making moves behind the  
22 back. It's kind of like the old story where, you know,  
23 you smile at your friend to his face while your other  
24 friend gets behind him and you push him over the back.  
25 I mean, it's -- that's exactly what happened. You  
can't deny that, Mr. Byron.

1           BYRON: David, let's back up a second here  
2 and put this thing in the proper perspective. Now, I  
3 mentioned to you that I was here from the first day.  
4 Okay?

5           DAVID KORESH: Right.

6           BYRON: I was not here when the people drove  
7 up to the front of your, of your church, and I'm not  
8 sitting here trying to defend how that happened or  
9 anything else.

10          DAVID KORESH: No, no, we're not talking at  
11 that point. We're talking at the point where --

12          BYRON: Okay, that's, that's what I'm getting  
13 at. Okay, you're not talking to ATF now, you're  
14 talking to the FBI --

15          DAVID KORESH: Right.

16          BYRON: -- and we're trying to get this  
17 accomplished in your best interest and in ours. But we  
18 can only do that if we work together. Now, you've  
19 talked about promises that have not been kept and  
20 things that have been changed in midstream. Partner,  
21 I'm the one that you -- not that you talked to, but you  
22 relayed messages through Steve and through Wayne to try  
23 to get your message off. First, the brief message that  
24 was read for you by ATF to the media, I'm the one that  
25 facilitated getting it on the radio through KRLD in  
Dallas.



1               DAVID KORESH: Right.

2               BYRON: The next thing that you wanted to do  
3 is to try to get your message out nationally. Do you  
4 recall this? I'm the one that contacted the Christian  
5 Broadcast Network and convinced them to put your  
6 message on the air, unedited, unreviewed. I mean,  
7 these people were laying their, their jobs on the line.  
8 I'm the one that did that for you. The FBI did that  
9 for you. Your response, in your own words, David, in  
10 your own words, not my words, not ATF's, not the FBI,  
11 not anybody that's ever wronged you, your own words was  
12 that as soon as this message is broadcast I will  
13 immediately -- and you stressed immediately --

14              DAVID KORESH: Come out --

15              BYRON: You did a good job.

16              DAVID KORESH: -- immediately.

17              BYRON: -- come out immediately.

18              DAVID KORESH: Right.

19              BYRON: What happened? You went back on your  
20 word.

21              DAVID KORESH: My, my, my commander, my  
22 commander in chief told me to wait.

23              BYRON: Well, that's a pretty easy excuse to  
24 hide behind.

25              DAVID KORESH: And that's what you all hid  
behind, too, isn't it?

1           BYRON: It is not. We have --

2           DAVID KORESH: You've hidden, also.

3           BYRON: -- everything we've promised you,  
4 David.

5           DAVID KORESH: Mr. Byron, I disagree with  
6 you. Evidence shows in every respect, the media, what  
7 you've done, turning our lights off, all this shows  
8 that you are making the same point that I am.

9           BYRON: No, that's not correct at all.  
10 That's your interpretation, which is very convenient  
11 for you.

12           DAVID KORESH: And also for you, too. Hey,  
13 the other night your tanks came right up towards the  
14 house. Is this not a violation of what you promised  
15 us? Yes or no.

16           BYRON: No. What we promised you --

17           DAVID KORESH: It's not a violation?

18           BYRON: Let me finish. You asked the  
19 question, let me give you the response. You asked that  
20 we not encroach on your property as long as you were  
21 going along with arrangements that we were making in a  
22 very healthy and human fashion on the 28th and the 1st  
23 and the 2nd. That did not happen. And you think about  
24 this for a second. Those tanks did not encroach. And  
25 they're not tanks, by the way, they're armored  
personnel carriers. In fact, one's an ambulance, and I

1 | pray we never have to use it.

2 |           DAVID KORESH: Well, that's what the radio --  
3 | That's what the guys, that's what the guys in the --

4 |           BYRON: Well, I'm, I'm setting you straight.  
5 | They are not tanks, they're armored personnel carriers.  
6 | The next thing I want you to -- Please think about  
7 | this. Step back, get away from the emotional aspect of  
8 | it --

9 |           DAVID KORESH: I'm not emotional.

10 |          BYRON: -- and I will try to do the same.  
11 | But, listen, they did not step one foot on your  
12 | property until you went back on your word.

13 |          DAVID KORESH: That is a lie.

14 |          BYRON: That is not a lie.

15 |          DAVID KORESH: That is a lie.

16 |          BYRON: That is absolute fact.

17 |          DAVID KORESH: And you will find out in the  
18 | judgment that you are fixing to witness that it was a  
19 | lie. You will find out very clearly. Every detail,  
20 | every thought, every statement made, every, every  
21 | manipulation done behind the scenes will be made  
22 | apparent to you. You do not understand what you're  
23 | dealing with. You do not understand what position of  
24 | time you're in.

25 |          BYRON: David --

          DAVID KORESH: This nation does not

1 | understand. I know you don't want to hear this.

2 |           BYRON: No, I want to hear it because I, I  
3 | answer to the same God you do, pal.

4 |           DAVID KORESH: No, you do not.

5 |           BYRON: You don't have a corner on the  
6 | market.

7 |           DAVID KORESH: You do not know the seals,  
8 | Mr. Byron. You do not understand the seals. There are  
9 | scholars that would help you out. There are scholars  
10 | who would understand the indepthness of what I stated  
11 | over the radio.

12 |           BYRON: David, can I ask you a question?

13 |           DAVID KORESH: Yes.

14 |           BYRON: Okay. I've read the same book.

15 | Okay? I was -- I, I found my saviour in a, in a  
16 | situation in Vietnam where I realized that I wasn't in  
17 | control of my life.

18 |           DAVID KORESH: Right.

19 |           BYRON: Okay? I read the same book that you  
20 | are, are founding your faith on. I respect that book.  
21 | I respect your faith. But I read in the scripture, and  
22 | I'm not a -- I'm not claiming to be a Bible theologian  
23 | and I'm not claiming to be anywhere near as well versed  
24 | in word and quotation as you are, and I respect that  
25 | capability. But I find in that book that the book says  
the only person, the only person, the only entity that

1 | can open those Seven Seals is the Lamb of God.

2 |           DAVID KORESH: Exactly.

3 |           BYRON: I don't claim for a moment to have  
4 | that capability and you know as well as I do that your  
5 | challenge to us from day one, to just quote, just get  
6 | somebody in here that can open these Seven Seals and  
7 | all my people will come out.

8 |           DAVID KORESH: Exactly.

9 |           BYRON: That's garbage.

10 |          DAVID KORESH: Exactly.

11 |          BYRON: It's garbage. It's a false hope and  
12 | you know that.

13 |          DAVID KORESH: No, it's not. On the  
14 | contrary. These people remain here because I have  
15 | thoroughly opened to them the Seven Seals. See, if you  
16 | had understood --

17 |          BYRON: And if you have the message that's  
18 | extremely valuable that you need to share with the rest  
19 | of this world, the only way you can do that, David, is  
20 | if you -- if we can get this matter resolved. When,  
21 | when you come out, you will be provided with that  
22 | opportunity, and I'll be in the front of the line to  
23 | listen to it.

24 |          DAVID KORESH: That's where you remain  
25 | ignorant. It's not your fault. I do not hold you  
contemptible for that, but you remain ignorant to

1 understand what is actually being applied at this very  
2 time. See, when it says in 22 I come onward as me,  
3 it's very clearly identified that when Christ comes the  
4 identifying mark will be the knowledge of those Seven  
5 Seals.

6           BYRON: And so you are now claiming clearly  
7 and simply that you are the Christ?

8           DAVID KORESH: I am saying that no man can  
9 know me nor my father unless they open their book and  
10 give a fair chance in honesty and equity to see the  
11 seals.

12           BYRON: Okay.

13           DAVID KORESH: Chapter 10 shows that when  
14 there's time no longer this mystery of God, the seven  
15 thunders, which is the Seven Seals, will be finished as  
16 God has declared to his servants the prophets. The  
17 keynote is that from Deuteronomy 32, the Song of  
18 Moses --

19           BYRON: David, David, in all due respect, and  
20 I, I would, I would love to and I'm telling you that I  
21 genuinely would -- And I'm committed to doing this, to,  
22 to research what you're telling us and so forth, but we  
23 need to get the matter, the stand-off, as we have it  
24 right now, resolved.

25           DAVID KORESH: Well, that's what we're -- to  
do.

1           BYRON:  -- forward.

2           DAVID KORESH:  But we're going to, we're  
3 going to also have to comply to the fact that if I am  
4 right you people are in more trouble than I am.

5           BYRON:  I, I couldn't agree with you more.

6           DAVID KORESH:  This nation is at the verge --

7           BYRON:  David, did you hear what I just told  
8 you?  I couldn't agree with you more.  I know what  
9 you're, what you're talking about.

10          DAVID KORESH:  And that's from your religious  
11 conviction.  But now where we stand at this present  
12 time is that you come in the name of this nation, I  
13 come to you in the name of a God, a God who has  
14 declared in heaven that no man on earth, neither on  
15 earth, anywhere, in heaven, can open the book and look  
16 thereon.  Now, it would be a definite miracle after  
17 2,000 years of all the scholars in the so-called world  
18 not to know the truth, especially if they're plainly  
19 recorded in the prophecies.

20          So what I've asked of you is a very simple  
21 thing.  I've asked you simply --

22          BYRON:  What you've asked of me and what  
23 you've asked of the, of the Biblical scholars --

24          DAVID KORESH:  Of the nation who says in God  
25 we trust on the currency --

          BYRON:  That's right.

1           DAVID KORESH: -- sanctuary right now -- See,  
2 things are taking place around you don't know. I would  
3 like to show you these things, I would like to impart  
4 this knowledge to you.

5           BYRON: Please come out and show us. That's  
6 all we're asking here.

7           DAVID KORESH: I am more than willing to come  
8 out when I get my message from my commander.

9           BYRON: Let me -- Can I, can I mention a  
10 couple things to you that I really think you need to  
11 realize? Your message -- You had the, the absolute  
12 zenith opportunity to get your message out and it was  
13 broadcast, and we facilitated it. We're not the, the  
14 anti-Christ here, we're not the, the evil doers.

15          DAVID KORESH: That, that remains to be seen.

16          BYRON: Well, let me finish. We are the ones  
17 that facilitated you getting that message out. It went  
18 out across this nation. It went out internationally.  
19 But what you, you apparently don't understand is that  
20 with the passage of time, and one of the documents that  
21 I wanted to provide to you is a letter from the  
22 Christian Broadcasting Network, from Craig Smith who is  
23 the, the talk show host that facilitated getting the  
24 message out and, by the way, lost his job as a result  
25 of it because he was willing to stick his neck out to  
try to help you, to help the people in that compound to



1 | safely resolve this and not put out an issue of -- a, a  
2 | statement of death but a statement of life.

3 |           The posture you're assuming now is not  
4 | promoting the safe welfare of the people inside that,  
5 | that -- the church, and you know it.

6 |           DAVID KORESH: So what you're implying --

7 |           BYRON: Let me, let me finish here. Just a  
8 | second.

9 |           DAVID KORESH: Go ahead.

10 |           BYRON: When he put that message out, he  
11 | stuck himself out front because he also has a saving  
12 | faith in the word Jesus Christ that you claim to serve.

13 |           DAVID KORESH: I didn't say I claim to serve  
14 | Jesus Christ. I did not say that, did I?

15 |           BYRON: Okay, are you telling me you don't  
16 | then?

17 |           DAVID KORESH: What I'm saying is --

18 |           BYRON: Let's -- I don't think you need to  
19 | clarify that position because this is not a religious  
20 | debate.

21 |           DAVID KORESH: No, it's not. It's a point of  
22 | a political matter. The matter is is that as the  
23 | ambassage (sic) is at the present, I teach the Seven  
24 | Seals, not that I, but I show from the prophetic  
25 | writings of the scripture, your scripture, the very  
clear decoded message of God for the last generation

1 that compiles the 144,000 that stands on Mount Zion.  
2 That is a literal number. The gospel's going back to  
3 the Jews. All the prophets foretold that the time of  
4 the gentiles would come to an end because you will be  
5 doing worse than what they've done 2,000 years ago.

6 See, you fail, Mr. Byron, to understand the  
7 purpose of the cross 2,000 years ago. It was stated,  
8 Father, forgive them for they know not what they do.  
9 Now, in those days they didn't have manuscripts  
10 everywhere, only the Pharisees and Sanhedrim had copies  
11 of the Torah (indiscernible). Now, also, it states  
12 into thy hand I command my spirit. So very clearly,  
13 through all the new testament writing, Christ sits at  
14 the right hand of God. In the Book of Revelation, in  
15 the right hand of God is a book. Have you ever heard  
16 of the word of God being made flesh?

17 Sure, it's easy to accept what's been in the  
18 past, but when the word is made flesh again it'll come  
19 according to the Seven Seals, of which you are standing  
20 right --

21 BYRON: David --

22 DAVID KORESH: -- at the door looking at in  
23 the face and you know it not.

24 BYRON: David.

25 DAVID KORESH: Sir?

BYRON: With all due respect, my own personal

1 | commitment, my own personal faith, my own personal  
2 | salvation, you are not in a position to attack. And  
3 | I'm not here to debate it with you.

4 |               DAVID KORESH: You do not know my position to  
5 | attack.

6 |               BYRON: Okay, I'm just giving you my opinion.  
7 | You can take it or leave it. Obviously, you'll leave  
8 | it. But let me just, please, make this, this point.  
9 | You need to realize that we are not here, I'm not here,  
10 | I'm not -- The sheriff's not still sitting out in that  
11 | Bradley idling on the road so that we can force a  
12 | confrontation. We are here trying to resolve this  
13 | matter without anyone else getting hurts.

14 |               DAVID KORESH: And that's what I'm trying to  
15 | do likewise.

16 |               BYRON: Well --

17 |               DAVID KORESH: I do not want my people --

18 |               BYRON: With all due respect, I think that  
19 | it's a very safe position to hide back and say I'm not  
20 | coming out until my God says that it's time to come  
21 | out.

22 |               DAVID KORESH: No, no, no. It's a very safe  
23 | position for you. You're behind the Bradleys. We're  
24 | here behind walls of sheetrock. We're here behind  
25 | walls of sheetrock. We remained here from the  
beginning. We did not build walls of stone or steel.

1               BYRON: We are here to facilitate you getting  
2 out behind these walls --

3               DAVID KORESH: But you're behind --

4               BYRON: Let me finish, please. As well as  
5 your message, if you want your message to get out, that  
6 message is not going to get out until you come out to  
7 profess it and we will facilitate it. Now, you can,  
8 you can condemn us -- Please listen to this. You can  
9 condemn us for, for interfering with your free and  
10 unfettered access to the media, but what I'm telling  
11 you is we stand ready, my commanders stand ready and  
12 have assured me to assure you that as soon as you come  
13 up -- out -- we will facilitate free, complete,  
14 unedited, uncensored access to the media.

15              I just got off the phone before I came out  
16 here. David, are you listening to this?

17              DAVID KORESH: I'm listening.

18              BYRON: I just came -- got off the phone with  
19 the Christian Broadcasting Network. Now, I don't know  
20 if you listen to them or not, but they have assured me  
21 that they stand ready, and it's in this letter that I  
22 was prepared to provide to you, that they stand ready  
23 to continue to help you to facilitate to put your  
24 message out. But only when you come out. Only when  
25 you live up to your initial word that you broke.

                We did not break it, you broke it. Let that

1 | be perfectly clear. And we'll build from that point  
2 | forward, but we're not going to build castles on sand,  
3 | and you know what I'm talking about.

4 |           DAVID KORESH: Well, we know that --

5 |           BYRON: We're going to build them on rock.  
6 | You need to bring that rock out and build your message.  
7 | Let us help you.

8 |           DAVID KORESH: Well, we know the rock's in  
9 | heaven. We know that, right, Mr. Byron? Sits on a  
10 | throne, right?

11 |           BYRON: That's right.

12 |           DAVID KORESH: And we also know it can hit  
13 | the image in the feet, right? (indiscernible) 244?

14 |           BYRON: I'm not going to get into a religious  
15 | debate with you. I believe what you're saying.

16 |           DAVID KORESH: No, that's not -- that's a  
17 | statement of Christian fact. Everyone who loves  
18 | Christ knows.

19 |           BYRON: David, I know what you're saying and  
20 | I agree with it, but it's time for you to bring your  
21 | feet out and to place them on the, on the -- in a  
22 | position, and a proper forum, to get your word out, if  
23 | that's what you really want to do.

24 |           DAVID KORESH: That's what's going to be  
25 | done.

          BYRON: If that's what you really want to do.

1           DAVID KORESH: That is what is going to be  
2 done, I swear by God unto you.

3           BYRON: How's it going to be done until you  
4 come out?

5           DAVID KORESH: Well, that's what I'm saying.  
6 You still fail to understand the finishing part of what  
7 our work is, you see? And unless you sit down, because  
8 you care for our soul and you love the innocent within  
9 these walls, which you profess to do, unless you sit  
10 down and you hear a man, you can't judge him.

11          BYRON: David, we have heard you for 17 days.

12          DAVID KORESH: No, you have not. You have  
13 interrupted, you've made statements, the people have  
14 scoffed. No, you have not.

15          BYRON: We have never scoffed you or your  
16 message. Not one time has the FBI ever gotten up there  
17 and scoffed you or your message. That's not true. If  
18 that's the message that you're putting out to your  
19 people --

20          DAVID KORESH: Again, that'll be brought,  
21 again, that'll be brought out.

22          BYRON: Let me finish. Let me finish. If  
23 that's the message you're putting out to your people,  
24 you are not representing the truth in the best interest  
25 of the people inside that compound.

          DAVID KORESH: I have not been talking with

1 | these people at large.

2 |           BYRON: Well, you need to, David. You  
3 | profess to be the leader in that compound. It's time  
4 | for you to take command and bring these -- the, the  
5 | sheep forward.

6 |           DAVID KORESH: Mr. Byron, understand again  
7 | salvation is not done by -- It's an individual  
8 | responsibility. The people here --

9 |           BYRON: Then let those individuals free. Let  
10 | them come out.

11 |           DAVID KORESH: They are free.

12 |           BYRON: I don't believe it.

13 |           DAVID KORESH: I know you don't. You don't  
14 | believe me. You don't even believe that God sits on a  
15 | throne, you don't believe that he gave the book to the  
16 | Lamb, you don't --

17 |           BYRON: David -- these people to tell the  
18 | truth --

19 |           DAVID KORESH: You don't believe the lamb is  
20 | going to come with the reward.

21 |           BYRON: -- with their promises. That is not  
22 | you to this point. You understand that?

23 |           DAVID KORESH: I understand that you are  
24 | trying to make statements for us to comply to your  
25 | ideals, but here's the thing. You just told me you  
fear God.

1               BYRON: I do.

2               DAVID KORESH: Which God do you fear?

3               BYRON: I fear -- I'm not going to get into  
4 this debate with you, but I'm going to tell you that I  
5 am personally convinced and secure in my salvation. I  
6 don't have to represent that to you one iota. What I  
7 do have to represent to you is that this is not an  
8 unlimited situation. Time is, is passing.

9               DAVID KORESH: I know it is. It's very  
10 close.

11              BYRON: You have not -- Let me finish,  
12 please.

13              DAVID KORESH: It's very close.

14              BYRON: David, let me finish. You have not  
15 lived up to your promises.

16              DAVID KORESH: And have you lived up to  
17 yours?

18              BYRON: Yes, sir, we have.

19              DAVID KORESH: You believe that honestly?

20              BYRON: And here, here's the next promise I'm  
21 going to give you. Are you ready?

22              DAVID KORESH: I'm listening.

23              BYRON: We have the facilities available  
24 right now to safely and orderly recover the people out  
25 of that compound. All you need to do is show your  
leadership and direct them to come out. We will, we



1 | will treat them in an honest, open, humane fashion. We  
2 | will get medical attention to them that you have not  
3 | been able to do because you don't have the facilities  
4 | there. We're trying to help you out, David, and you  
5 | don't understand it.

6 |           You either don't understand it or you don't  
7 | care. There's no, there's no middle ground here. It  
8 | is as black and white as the message is that you  
9 | profess to teach. If you care for those people, take  
10 | care of those people. Let us come forward with what we  
11 | have prepared to help you out. We're not here to hurt  
12 | you, we're here to try to help you. And if you, if you  
13 | can't believe that --

14 |           DAVID KORESH: I believe you. I believe what  
15 | you are saying.

16 |           BYRON: Okay. If you believe -- Okay --  
17 | David, you believe me, you just said that.

18 |           DAVID KORESH: No, I said I believe what --

19 |           BYRON: Here's what I want, here's what I  
20 | want to make clear to you. We have three buses that  
21 | will be in this area by 3:00. That's one hour. Now,  
22 | this, this is one of the things I wanted to bring  
23 | forward to Steve. This is not any kind of trick or  
24 | anything. We have medical attention that we have, have  
25 | made contacts with and they will be prepared to help  
   | with, with injuries, including Judy's right hand, the

1 | finger and possible shoulder, Scott's thigh, your  
2 | abdomen. And hopefully, that's not -- Is it still  
3 | weeping, your wound?

4 |           DAVID KORESH: It still weeps.

5 |           BYRON: Okay. We would like to, to be able  
6 | to help you out with that. David Jones that got the,  
7 | the shot in the buttocks, we want to be able to try to  
8 | help these people as best we can. Medical attention  
9 | will be available at 3:00. The buses are standing by  
10 | to take these people to the proper authorities, have  
11 | access to legal counsel, including yourself. But,  
12 | David, please, let's get off the dime here. It is --  
13 | You and I both know that if, if you make the decision  
14 | that okay, we're coming out, we're going to go before  
15 | the media, we're going to have our day in court, which  
16 | according to the sheriff you wanted to do -- You did it  
17 | in 1988 and you were successful. Do it in 1993. Do it  
18 | now.

19 |           We are ready to do this without anybody else  
20 | getting hurt. Do you understand? I don't know how to  
21 | make it any more clear, except maybe to take a couple  
22 | breaths and relax. But what I'm trying to do is I'm  
23 | trying to tell you what I tried to tell Steve. I'm  
24 | excited because the things that I found out and that I  
25 | wanted to come out there and deliver face to face are  
   | in your best interest. You had concern about property,

1 the property is not going to be moved upon.

2 I have a statement from the U.S. Attorney's  
3 Office that says based on Federal Firearms Act, there's  
4 no provision to move on it for forfeiture. They  
5 couldn't seize it even if, if -- If you were fearful of  
6 ATF jumping up and down saying that that's their plan,  
7 there's no legal grounds for them to do it. You're  
8 safe and secure in your church. The legal issue, I  
9 have proof that you have legal representation. And  
10 those that aren't represented, we have -- there's a  
11 roster I can provide to you as soon as you come out and  
12 court appointed attorneys are standing by.

13 The crime scene, we've made -- Are you still  
14 there?

15 DAVID KORESH: I'm here.

16 BYRON: The crime scene -- I hope you're  
17 listening to this.

18 DAVID KORESH: I am listening.

19 BYRON: Okay. The crime scene, we've made  
20 arrangements to work on getting a, an independent  
21 special, special master, I believe is the legal term  
22 for it, to oversee the processing of the crime scene.  
23 Now, I hope you're listening to this because this is a  
24 point that I know Steven has made, that, that Wayne has  
25 made, and that you have made through them and directly  
to the various guys that have talked to you during the

1 | course of the negotiation.

2 |           We've now made a -- We've made that step.  
3 | That's very unusual. Normally, the agencies process  
4 | the crime scenes and that's it. And the, the evidence  
5 | is brought forth into court and it's judged by, by a  
6 | jury of your peers. Now what you're looking at is  
7 | we've made provisions to try to accommodate the needs  
8 | that you've expressed. Time after time we have and we  
9 | have again in this issue, so you'll have an independent  
10 | party that can assure that that evidence is collected  
11 | properly, that it's not compromised, and so forth.

12 |           Sealed documents, you had a problem with  
13 | that. I have copies for you, David -- Are you  
14 | listening?

15 |           DAVID KORESH: I am.

16 |           BYRON: I have copies for you of the, of the  
17 | warrant for your arrest that was filed -- Let me get it  
18 | out here. The warrant for your arrest was filed before  
19 | United States Magistrate Dennis Green on the 25th of  
20 | February. That's four days, three days before the  
21 | unfortunate incident out there with the raids and, and  
22 | the loss of life. But I'm telling you it's a legal  
23 | document. I've got an original fax sent in to me from  
24 | the U.S. Attorney's Office at 12:26 today.

25 |           I've not been sitting on my hands trying to  
   | get this done for you. I've got a copy of the search

1 warrant that you -- that Wayne had expressed a problem  
2 with because he questioned whether or not there was  
3 even one in existence. I've got it here, and it says  
4 "In the matter of the search of residence of  
5 Vernon Wayne Howell, also known as David Koresh and  
6 others, Route 7, Box 471B, also known as Mount Carmel  
7 Center." I've got it sitting here to provide to you so  
8 that you would know, David, that I am not trying to run  
9 a game on you.

10 If I sound excited or if I sound upset or  
11 whatever, I'm excited to get you out. Safely. That's  
12 the only reason that I'm sitting here. Now, you've  
13 also mentioned -- So those things -- That aspect of it  
14 is not sealed, it's not secretive, it's not something  
15 that's being suppressed. I stand ready to provide it  
16 to you, and I still stand ready to provide it to you.  
17 I've personally talked to the Texas Rangers. I've  
18 taken this all the way up to Maurice Cook. Do you  
19 happen to know him, the senior ranger captain?

20 DAVID KORESH: No, I don't, I don't remember  
21 his name.

22 BYRON: In Austin, Texas. That's where I'm  
23 assigned. I know this man. I know that he's, that  
24 he's straightforward and he's honest and he is not  
25 going to give you a line of garbage, and neither am I.  
He tells me that he absolutely stands ready and has a,

1 a significant force of rangers up here to be able to go  
2 in and handle the homicide aspect of this  
3 investigation. If, if you have a concern that this is  
4 being covered up by the federal government or whatever,  
5 it's not being covered up because we're not even going  
6 to be the lead agency in it. It's the Texas Rangers.

7 I don't know any finer agency to handle this  
8 thing on a state level. That's -- We've been able to  
9 ensure that for you. The media, we've made  
10 arrangements for -- again, as I mentioned. We've made  
11 arrangements -- In fact, if you saw the press  
12 conference today or yesterday --

13 DAVID KORESH: No, we, we can't see nothing.  
14 Our electricity is turned off.

15 BYRON: Okay. Did you hear it?

16 DAVID KORESH: No.

17 BYRON: Okay. Well, you need to get together  
18 with your other troops 'cause they've told us that you  
19 did hear it today.

20 DAVID KORESH: Did somebody listen to the  
21 conference today?

22 BYRON: Anyhow, they will tell you that a  
23 specific question was raised by the media as to how  
24 come we have arranged for a pool camera. Do you know  
25 what that term is?

DAVID KORESH: No. What's a pool camera?

1                   BYRON: Instead of having, you know, 20 or 30  
2 news crews out there, you have a centralized camera  
3 crew selected by the media, not selected by law  
4 enforcement, to have an accurate and a specific  
5 recording of the events as you all come out. That  
6 stands ready to be done and they'll be ready at 3 if  
7 you tell us. We also have made inquiry regarding your  
8 concerns about ATF, as to whether or not there's any  
9 reprimand or independent inquiry going on. I'm telling  
10 you it's going on right now.

11                   I've also got a document that I cut out of  
12 the newspaper to show you how this thing tracked from  
13 the very inception. I don't know if you're even aware  
14 that the FBI had a complaint on this back in I think  
15 1990, allegations from, from your buddy Marc Breault is  
16 it?

17                   DAVID KORESH: Marc who?

18                   BYRON: From Australia. Is that the proper  
19 pronunciation?

20                   DAVID KORESH: Marc Breault?

21                   BYRON: Breault, okay. We looked into those  
22 at that time and we -- that's when we first hooked up  
23 with, with Jack Harwell, the sheriff here in McLennan  
24 County, and with the county authorities as far as the  
25 concerns, genuine concerns, or at least what we felt  
were genuine concerns, as to how those kids were being

1 | treated. The results that we got back from the  
2 | appropriate authorities, and I stress appropriate  
3 | because we are not big brother, we're not tromping on  
4 | people, we're going to go to the people that have the  
5 | rightful authority to say yes, these kids are being  
6 | handled properly or no, they're not and we have genuine  
7 | concern and you should go forward with your  
8 | investigation. We found in 1990 that there was no  
9 | justification that we found, no substantiation of any  
10 | allegations regarding mistreatment of those kids.

11 |           DAVID KORESH: Our children are the best  
12 | treated in the world.

13 |           BYRON: And I'll tell you, I have had the  
14 | pleasure, David, and I, I will say this twice, I have  
15 | had the pleasure of meeting with several of the kids  
16 | that you have allowed to come out of that compound and  
17 | they're wonderful. I've got, I've got three young men  
18 | of my own. I just hope they're that well behaved when,  
19 | when I'm not around. But you need to be around.  
20 | You've got an investment in the future. Exercise it.

21 |           Let us help you to get those people out. The  
22 | last thing I want to tell you is that there is a  
23 | Congressional inquiry going on on this matter right  
24 | now. There's internal inquiries from ATF and the FBI  
25 | is, is in a position to continue to maintain control of  
this overall situation to assure you, and I'm telling



1 | you this from 24 years in the FBI, you are not going to  
2 | be victimized by the manner in which this investigation  
3 | is conducted.

4 |           We are not going to allow anybody to  
5 | compromise any aspect of this investigation, as long as  
6 | it has the FBI on it. Now, I'm not saying that would  
7 | happen in the first place, but I'm telling you that it  
8 | ain't going to happen under the Bureau. Do you  
9 | understand that?

10 |           DAVID KORESH: I hear what you're saying.

11 |           BYRON: That's my personal assurance to you,  
12 | David. And I'll live up to it and I can assure you  
13 | that my commanders will live up to it. Now, I don't  
14 | know what else we could do. We're ready to go. We  
15 | have the capabilities of carrying this forward. You  
16 | need to be man enough, prophet enough to help your  
17 | people in there and the ball is in your court. I don't  
18 | know what else we can do. Everything you've asked for  
19 | we've accomplished.

20 |           We're ready to go. We're done talking. As  
21 | far as, as trying to get things arranged in the future,  
22 | we'll talk to you anytime you want to talk. But what  
23 | I'm telling you is that we're done talking about  
24 | telling you we're gonna, gonna, gonna. We've done it.  
25 | We're ready to go forward and we're ready to go forward  
   | right now.

1           DAVID KORESH: Okay. The things that you've  
2 already stated to me, have you stated them to Wayne  
3 Martin as of yet?

4           BYRON: No, because he didn't want to come --  
5 I don't know what, what Wayne's problem is. I don't  
6 know if he's afraid to come out and meet us in the road  
7 again. I don't know what the deal is. Hopefully, the  
8 man's not because I looked him in the eye, as I, as I  
9 look forward to looking you in the eye and telling you  
10 that, that my heart's in the right place. I deal, deal  
11 with you from a position of honesty.

12           I will not lie to you. If you ask me a  
13 question and the answer is something that I know you're  
14 not going to want to hear, I'm going to tell you the  
15 truth anyhow, and then we'll work through it. I'm not  
16 going to lie to you. I told him the same thing. My  
17 understanding was that we were going to meet again. We  
18 left on very good terms, shook hands. Of course, we  
19 were all freezing our, our rears off, but we shook  
20 hands. We've looked each other eye to eye.

21           I spoke more to Steve than I did to Wayne,  
22 but I, I assured him, because I have respect for the  
23 man as an attorney, that I would try to find out the  
24 questions that he had asked from a legal standpoint.  
25 I'm telling you I have those answers. Now, after an  
indication, and I've got to admit it it wasn't a

1 | guarantee on their part, but it was an indication, a  
2 | very straightforward indication I felt, that they were  
3 | ready to meet again when I had the answers for them.  
4 | We're ready to meet, they're not.

5 |               DAVID KORESH: Wait, just wait one second.  
6 |               (End of Tape 5x.)

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U.S. DEPARTMENT OF THE TREASURY  
BUREAU OF ALCOHOL, TOBACCO & FIREARMS

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TAPE #6x

3/17/93  
2:14 P.M. - 2:55 P.M.

1 (Tape 6x)

2 DAVID KORESH: Hello?

3 BYRON: Yes, sir?

4 DAVID KORESH: Well, what, what I'm hearing  
5 is that you never requested for Wayne, you just  
6 requested for Steve to come out.

7 BYRON: No, we asked for -- This morning --  
8 Now, if it was a misunderstanding, then that's my  
9 apology. David, I'll meet with you out there. I'll  
10 meet with Wayne out there or I'll meet with -- If it'll  
11 do me any good, I'll talk to these black cows that are  
12 out here in the, in the field. I just want to get this  
13 thing resolved. And let me apologize to you right now.  
14 If I got a little heated and it sounded to you --

15 DAVID KORESH: Not heated, just zealous.  
16 We're both zealous. We understand that. No, no  
17 problem.

18 BYRON: But please understand this. Being  
19 zealous is fine if it's for the protection of people,  
20 and that's all I'm asking you to do.

21 DAVID KORESH: I understand.

22 BYRON: Okay? We can, we can work this out,  
23 but we have got -- You need to understand, and I think  
24 that, that Steve may have jumped to the wrong  
25 conclusion or whatever. I'm telling you that, that  
this is not a forever-lingering situation, that we're

1 | going to be here, you know, pardon the pun as I'm  
2 | looking out the window here, till the cows come home.  
3 | We need to get this resolved now. People are hurting  
4 | in there. You're hurting in there, David, and I'm  
5 | concerned about that. We need to get this done.

6 |           DAVID KORESH: Well, what, what breaks my  
7 | heart, Mr. Byron, Byron --

8 |           BYRON: Sage.

9 |           DAVID KORESH: Byron --

10 |           BYRON: S-A-G-E, as in wise one, which I  
11 | don't live up to.

12 |           DAVID KORESH: Okay. Well, what breaks my  
13 | heart --

14 |           BYRON: Is that a signal to you? You're  
15 | getting this message from a sage, okay?

16 |           DAVID KORESH: That, that's fine.

17 |           BYRON: Okay. Let's, let's get this done,  
18 | David.

19 |           DAVID KORESH: Things are only as good as the  
20 | spirits that they, that they --

21 |           BYRON: I couldn't agree with you more.  
22 | Then, David, be a leader of men.

23 |           DAVID KORESH: I am a leader in one respect,  
24 | and that's something that you don't understand, 'cause  
25 | I know you don't want to get into a religious  
discussion. But here's the think that I'd like to say.

1 | What hurts my heart is that there is a wealth of  
2 | information that must be known and there are two ways  
3 | it can be known. First of all, by the mediation of  
4 | giving the information, which is the continuation of  
5 | the gospel.

6 |           In other words, since 1985 I've gone to  
7 | colleges, churches, to try to present to them in the  
8 | most sober and plainest statement that there's  
9 | necessity now to bring all the churches into unity.  
10 | There are many different churches in this country, many  
11 | different faiths, many different aspects of knowledge,  
12 | which is the fulfillment of the gospel. You receive  
13 | Christ (indiscernible). Not everybody has the same  
14 | knowledge, not everybody has the same development or  
15 | level of understanding.

16 |           Well, what is designed in heaven, the place  
17 | that I know more of than a lot of people --

18 |           BYRON: Okay.

19 |           DAVID KORESH: -- is that there is one thing  
20 | and only one thing that can bring the minds and spirits  
21 | of men into one bond of unity, and that is the  
22 | knowledge of the Seven Seals. That's my job.

23 |           BYRON: I appreciate that.

24 |           DAVID KORESH: And the thing of it is is that  
25 | it's only one man's job, as you already see yourself  
and bear witness within your own spirit.

1                   BYRON: That's right.

2                   DAVID KORESH: No man but the Lamb can reveal  
3 these things. Of course, you know, the sad thing of  
4 Matthew 24 is Christ begins to tell the disciples about  
5 the abomination and desolation spoken by Daniel the  
6 Prophet, but he ends with the statement that when  
7 (indiscernible) stays in the desert, go not forth.  
8 When (indiscernible) stays in the secret chamber,  
9 believe it not. I mean, it's not hid. The coming will  
10 be like (indiscernible) to the west. But the sad  
11 statement is that wheresoever the carcass is, is this  
12 implying that Christ might be killed when he comes  
13 again? That Moses smite the rock twice? These are  
14 things that we hope not.

15                   We hope that mankind, we hope that the men of  
16 this world and this generation learn from the stumbling  
17 blocks of yesterday to make these stumbling blocks  
18 stepping stones for the time in which the gentiles are  
19 to be judged. Only one judgment, one truth, one God,  
20 one faith, one baptism, one Lord, one knowledge, Seven  
21 Seals.

22                   BYRON: I agree.

23                   DAVID KORESH: And we want to work this out  
24 with you in the greatest concern. I love you, I love  
25 everyone on the outside here. I don't seem -- I don't  
wish to seem that I'm being arbitrary or obstinate.



1 It's just I have a chain of command, too. I do only --  
2 Well, like it says in the oath of the Book of John --  
3 When you read the Book of John, what's Christ? Always  
4 trying to tell the Sanhedrim and Pharisees, my doctrine  
5 is not my own but that which I received of my father.

6 And so we know what happened to him and so we  
7 know that when it comes around again in the last  
8 days --

9 BYRON: Let me talk about that for a second.

10 DAVID KORESH: Sure.

11 BYRON: Okay, we know what happened to him.  
12 We know that, that you have your mighty men. We know  
13 that you're in a position, and I'm sure you perceive it  
14 to be a defensive position, but -- And again, I'm not  
15 trying to debate you religiously. You would leave me  
16 in the dust in a heartbeat as far as specifics --

17 DAVID KORESH: Can I explain those mighty  
18 men?

19 BYRON: Pardon me?

20 DAVID KORESH: Can I explain the mighty men?

21 BYRON: Well, let me just, let me just -- I  
22 am very interested in --

23 DAVID KORESH: Go ahead.

24 BYRON: -- your explanation of it, but let me  
25 finish this train of thought. When, when Jesus went  
through some of the same hardships that you've been

1 | through, as far as the, the, the arduous times and the,  
2 | the anguish of Gethsemane, when the betrayers brought  
3 | forth the, the soldiers, the Roman soldiers to, to  
4 | break him in to stand charges, he had his mighty men,  
5 | too, basically. He had -- And again, you're talking to  
6 | a layman and I don't claim to be preaching to you.

7 |           DAVID KORESH: Go ahead. I understand what  
8 | you're saying.

9 |           BYRON: But when, when he was arrested, one  
10 | of his disciples also stood and attempted to take  
11 | offensive action, and maybe he perceived it as  
12 | defensive action, but it was still an act of violence  
13 | in cutting off the ear of the Roman soldier, right?

14 |           DAVID KORESH: Exactly.

15 |           BYRON: Okay. What did Christ tell his  
16 | disciple to do?

17 |           DAVID KORESH: He reminded him of the legions  
18 | of angels.

19 |           BYRON: And to lay down his arms, right? Lay  
20 | down his sword, this was not the time for violence.  
21 | That's exactly -- And again, I apologize coming to you  
22 | as a layman like this, but I'm telling you that that's  
23 | what you need to do. You need to address your mighty  
24 | men to lay down that sword and to give yourself that  
25 | opportunity to, to have your day before Pilate. Okay?  
Take this before the, the appropriate judicial

1 | proceedings to work through this.

2 |           Have the opportunity to allow the crime scene  
3 | search to be conducted, the, the facts as you saw them,  
4 | because right now all that we have is what we've been  
5 | able to deduce based upon the, the evidence as we know  
6 | it from the outside. Independent law enforcement,  
7 | independent investigation has got to come in,  
8 | thoroughly evaluate -- You keep referring to, to -- Or  
9 | Steve, I should say, refers to shots being fired from  
10 | helicopters.

11 |           Now, they mentioned during one of the press  
12 | conferences that there were three helicopters in the  
13 | area, but all that they had in it was command personnel  
14 | and, and I think a camera. And not a media camera, but  
15 | a camera documenting the progress of, of the planned  
16 | raid, which, believe me, was not -- Well, from my  
17 | understanding, okay, you don't have to believe me at  
18 | all, but from my understanding, it was not intended to  
19 | do anything but attempt to secure the premises.

20 |           Now, you have reason to believe, according to  
21 | Steven, that there may have been shots fired from a  
22 | high angle, which would indicate an aircraft or, or a  
23 | helicopter.

24 |           DAVID KORESH: Well, Peter Gent was killed by  
25 | the -- It was full of ATF agents and they were full  
armed. They were trying to land. They were back and

1 | forth. As a matter of fact, when the news media --  
2 | When they landed, they said the helicopter barely made  
3 | it and it landed --

4 |           BYRON: Right.

5 |           DAVID KORESH: -- it was full of ATF agents.  
6 | They were fully armed.

7 |           BYRON: Okay. Let me, let me just mention  
8 | this. David, that's what we need to be able to  
9 | determine by coming in and doing the type of crime  
10 | scene search that you yourself were asking for. If  
11 | that's the case and it's in conflict with what's been  
12 | represented, then that type of information needs to  
13 | come forward to fully air all aspects of the  
14 | investigation.

15 |           DAVID KORESH: Well, I, I agree with you.

16 |           BYRON: There's a, there's another famous  
17 | quote that I think you and I both live by, and that is  
18 | that the truth will set you free.

19 |           DAVID KORESH: Exactly. If you continue --

20 |           BYRON: Let it set you free, David. Let it  
21 | set you free.

22 |           DAVID KORESH: If you continue in my  
23 | doctrine, then you shall know the truth and the truth  
24 | shall set you free.

25 |           BYRON: And the truth shall set you free.  
That's exactly right.

1           DAVID KORESH: And the Seven Seals is what he  
2 was referring to. I know, I was there.

3           BYRON: Okay. Then it's time to be here now.

4           DAVID KORESH: Okay. Another, another  
5 reminder is that as Christ stood before Pilate, Pilate  
6 also made the statement that he had power to destroy  
7 Christ or set him free. Remember?

8           BYRON: Yes.

9           DAVID KORESH: He asked if Christ was the  
10 king. Christ says, Say this of thyself or did others  
11 tell thee of me? Then Christ stated that yes, he was  
12 born for this purpose, but he also stated that my  
13 kingdom is not of this world, which it wasn't. The  
14 manifestation of power definitely showed a difference  
15 between the humanity of Christ and that of other men.  
16 But he says if my kingdom were of this world, then  
17 would my servants fight that I would not be delivered  
18 unto the Jews. Remember that statement?

19           BYRON: I do vaguely. I don't claim to, to  
20 know the scripture.

21           DAVID KORESH: He says but my kingdom is not  
22 from him. But when the Lamb comes with the Seven  
23 Seals, the unfolding of those seals, not stated by  
24 me -- Remember, you can't -- don't believe me, forget  
25 me altogether. Forget my voice, forget my image. I  
mean, I, I, I am nothing, okay?

1           BYRON: David --

2           DAVID KORESH: As far as you can see. But  
3 now, here's the thing. When the seals are opened to  
4 you, when I do come out and I do show you these seals,  
5 remember, with the strictest sense of respect to God  
6 who sits on the throne, 'cause remember, God who sits  
7 on the throne still rules over the sons of men.

8           BYRON: Absolutely.

9           DAVID KORESH: You know, God's kingdom --

10          BYRON: All of us.

11          DAVID KORESH: The heaven is my throne, and  
12 the earth is my foot stool. God still has jurisdiction  
13 on this little ball out here, right? Remember that the  
14 seals will testify by the prophets and they will give  
15 you the details of the work and mission of Christ.  
16 There's one of the Psalms that says, you know, that  
17 they set themselves against me 'round about. It says  
18 they now come past us in our steps and their eyes are  
19 towards us, bending downwards to earth so they know not  
20 the thoughts of the Lord. It says, you know, put my  
21 fears into thy bottle and they're not written in thy  
22 book.

23                   Everything about Christ is contained in the  
24 shadow of God's hand. The mission, the work, the  
25 purposes, the doctrine is all found in the testament of  
the prophets.

1           BYRON: David --

2           DAVID KORESH: Sir?

3           BYRON: -- you're a gifted man. You've got a  
4 message to bring forward. We are providing you with a  
5 vehicle to do it. I know you don't need that vehicle,  
6 but you've asked for it, we stand ready to provide it.  
7 Now, I, I have one question of you.

8           DAVID KORESH: Sure.

9           BYRON: You mentioned fishing. It's time to,  
10 to fish or cut bait. I stand prepared to accept  
11 whoever you want to direct out of that compound, and  
12 I'm hoping that you will lead your flock. But if you,  
13 if you elect not to, we'll respect that. But what I'm  
14 telling you is it's time to show the truth of your  
15 words. You have said that the people there are free to  
16 come out. They also respond.

17           David, you and I both know that if you say go  
18 forth, they will go forth. It's time for you to direct  
19 them to come out. Now, let me, let me explain  
20 something to you, man to man. I need something to hang  
21 onto here. I've been out scurrying around for a day-  
22 and-a-half, convincing my, my commander that I think  
23 that we've got a good opportunity here to meet this man  
24 halfway.

25           He is convinced that, that that's a good  
idea, that it's something that should be done and has

1 | been done in good faith. Now, I stand ready. I'll  
2 | be -- They've got those, those blasted speakers out  
3 | there, right? I'll get on the speakers and I will, I  
4 | will be there to assure you that, that the buses are  
5 | there, they're ready to accept your people. David,  
6 | please, I'm, I'm asking you, send your people out.  
7 | Bring yourself out.

8 |           Let us get you into the proper forum. You're  
9 | a gifted man, you're an orator. You claim to be a  
10 | prophet. Prophesize --

11 |           DAVID KORESH: I am not a prophet.

12 |           BYRON: -- to the people that will hear it.

13 |           DAVID KORESH: I'm not a prophet. I never  
14 | claimed to be a prophet.

15 |           BYRON: Okay. Then, then that's my  
16 | misinterpretation of what you've said. You are a  
17 | gifted man.

18 |           DAVID KORESH: But, remember, only the Lamb  
19 | can reveal the Seven Seals, you know. I may be greater  
20 | than a prophet, I may be the genuine. You never can  
21 | tell unless you learn the seals.

22 |           BYRON: Okay. And I -- Believe me, I've done  
23 | more (indiscernible) --

24 |           DAVID KORESH: Are you going to kill me?

25 |           BYRON: -- in the last three weeks than I  
have in, in all my life. So if you, if you've



1 attempted to accomplish something, you've done that.  
2 Now really go forward. You've, you've reached out and  
3 you've contacted a, a myriad of, of negotiators here.  
4 You've talked to people who were genuinely interested  
5 in you and hopefully we will continue to talk to you.  
6 But I want to talk to you face to face.

7 I want to talk to you during the -- during  
8 your court process to assure you that we will continue  
9 to stand by you as an ally, not an adversary. And  
10 we're ready to do that if you will just allow us to do  
11 it.

12 DAVID KORESH: Well, like I said, are you  
13 going to kill me?

14 BYRON: Are we going to kill you?

15 DAVID KORESH: Right.

16 BYRON: No.

17 DAVID KORESH: How do you know?

18 BYRON: Well, let me, let me rephrase that.  
19 You have, and we have expressed to you, some very  
20 specific rules of safety. Those, those rules are still  
21 in effect. That will cause a, a complete, no-  
22 questions-asked understanding between your people and  
23 the people out here that have to safely supervise the  
24 exit of your people, including yourself, from that  
25 compound. I can assure you, I do assure you that it is  
not the intention, we are not here to execute you,

1 we're here to help you.

2           We're here to extract you from there, not to  
3 force any kind of a confrontation which ends in, in  
4 more blood shed. David, I can't tell you that any more  
5 from the heart than that.

6           DAVID KORESH: I believe you.

7           BYRON: I'm talking about in the word of, of  
8 who you and I both know to be our, our salvation,  
9 that's the way it is. So you asked the question  
10 straightforward, I just gave you the answer  
11 straightforward.

12           DAVID KORESH: Can I -- Can, can we like have  
13 a conversation later on today? I'm fixing to -- See,  
14 my, my side -- I'm sitting up right now. I came down  
15 from where I was at.

16           BYRON: I understand.

17           DAVID KORESH: And my physiological being is,  
18 is, like I say, is just like yours. We have, we have  
19 certain things we've got to do and we've got to do.

20           BYRON: I understand.

21           DAVID KORESH: Could we possibly get on a  
22 conversation some time maybe not far from now, to where  
23 I can possibly show you some of the things that I teach  
24 the people here?

25           BYRON: David, that would be fine --

          DAVID KORESH: Just between me and you?

1           BYRON:  -- but I prefer to do that man to  
2 man, okay?

3           DAVID KORESH:  Well, that's what I'm saying.  
4 I'm saying I'd like to kind of like predestinate you  
5 earlier so you can see where I'm coming from.

6           BYRON:  Are you -- You come out and I'll meet  
7 you anywhere.

8           DAVID KORESH:  Well, I can't do that until my  
9 father says it's time to go.

10          BYRON:  Okay.  Then let me -- I respect that,  
11 okay?

12          DAVID KORESH:  I mean, that's just where --  
13 My my, my --

14          BYRON:  David --

15          DAVID KORESH:  -- ardent way is I always  
16 obey.

17          BYRON:  I understand that and I'll respect  
18 that, and I'm sure my commander will.  But I need to  
19 show him some progress here.  Okay?

20          DAVID KORESH:  Well, here --

21          BYRON:  And I think we've made a tremendous  
22 amount of progress just through this conversation.  And  
23 again --

24          DAVID KORESH:  You know, you know from the  
25 bug that you had in our building here, you know that  
we've had a crisis amongst us.  You know that, don't

1 | you?

2 |               BYRON: Yes, I do know that.

3 |               DAVID KORESH: Now, you know that in  
4 | Levitical law that liquor and things like that in small  
5 | moderation are acceptable to God. You know that, don't  
6 | you? As it says, it's according to Deuteronomy and the  
7 | Laws of Moses, thou shall tide the liquors and thy  
8 | strong drink. You know that?

9 |               BYRON: Yes.

10 |              DAVID KORESH: God does not condone  
11 | drunkenness.

12 |              BYRON: I agree.

13 |              DAVID KORESH: God does not condone anything  
14 | that's in excess.

15 |              BYRON: Okay.

16 |              DAVID KORESH: Okay. Well, what took place  
17 | was in the initial confrontation, some of the people  
18 | that are laying hoe to the promises of God and the  
19 | seals took liberties to, to -- You know, I've been  
20 | shot. They took liberties to indulge themselves in  
21 | some of the, in some of the store.

22 |              BYRON: Okay.

23 |              DAVID KORESH: And we had small amounts, you  
24 | know. And in so doing, it created a problem on our  
25 | side because, like I say, God is not to be trifled with  
and this is a violation of God's mandate and God's law.

1           BYRON: Okay. And that's for your  
2 supervision. I understand that.

3           DAVID KORESH: Yeah.

4           BYRON: I understand.

5           DAVID KORESH: And so -- But, see, these  
6 people, you know, as Christ told us, as your Christ has  
7 told you what is written in the book, you know, fear  
8 not ye that can kill the body. Let me tell you who to  
9 fear. Fear him that after he has killed the body can  
10 cast the soul into hell.

11          BYRON: Absolutely.

12          DAVID KORESH: Now, this is where my first  
13 and foremost comes to front. I love these people in  
14 here more than you could ever understand. I love you  
15 more than you can understand.

16          BYRON: I do understand that and I appreciate  
17 it.

18          DAVID KORESH: But here's the thing. This is  
19 something that according to the jurisdiction of God and  
20 according to the, to the wave sheaf that are in heaven,  
21 it's something that's an extreme violation. It's also  
22 been forewarned according to the -- in your Bible, it's  
23 the 22nd chapter of Isaiah, forewarning of this  
24 confrontation. But the thing of it is it does create a  
25 great problem with us as a body that we have to  
resolve. And --

1               BYRON: David, do me a favor.

2               DAVID KORESH: Yes?

3               BYRON: Please. This is a request. While  
4 you are consulting, while you are, are at the book,  
5 while you're taking care of your own personal needs,  
6 let's start the process. Let's, let's send that sign  
7 to, to my commanders that, that we haven't reached an  
8 impasse, we now have an understanding based upon mutual  
9 respect. Take charge of the people that you have  
10 there, their best interests, and go ahead and, and  
11 let's start some people out. Let's get -- We've got  
12 three buses here.

13              If we've got to jam them to the gunnels,  
14 we'll do that. We'll accommodate as many people as you  
15 can send out. And I would love for that first person  
16 to be you and I would -- I will move heaven and earth  
17 to try to get you out of there safely. But if we can't  
18 do that because of your, your conviction to remain  
19 there and take care of matters that are at hand right  
20 now, let's at least start getting some of these other  
21 people out.

22              Let them be a testament to what you stand for  
23 and let them testify to you as to, to what I'm standing  
24 for, the fact that they'll be treated properly and  
25 they'll have the, the things provided to them that we  
promised you and I intend to insure that we live up to.

1 | Let's do this, let's do it now. I just got the message  
2 | that the buses are here, so they're here before 3. And  
3 | if you think that's because we're anxious, it's because  
4 | we're committed.

5 |               DAVID KORESH: Well, you also know -- Have  
6 | you ever heard of the daily?

7 |               BYRON: Pardon me?

8 |               DAVID KORESH: Have you ever heard of the  
9 | daily?

10 |              BYRON: Daily devotionals? Yes, sir.

11 |              DAVID KORESH: Right. In other words,  
12 | according to the, to the commandments of, of  
13 | (indiscernible) it was commanded that from the sixth  
14 | hour unto the ninth hour there's to be a worship to God  
15 | where the Lamb is offered twice a day for the mediation  
16 | of all of Israel as a nation?

17 |              BYRON: Yes.

18 |              DAVID KORESH: You know Christ took that  
19 | mediation to heaven, right? Instead of sacrificing  
20 | animals, they will keep the bread and the wine twice a  
21 | day.

22 |              BYRON: Yes.

23 |              DAVID KORESH: This is something that was  
24 | done away with, something -- the daily was done away  
25 | with according to the prophecies of Daniel and also  
   | throughout the scriptures, but it's been reinstituted

1 | in the latter days. The mediation of Christ and the  
2 | heavenly saints for the new covenants, the Seven Seals,  
3 | which Peter said will be revealed in the latter days.  
4 | The church is supposed to be ready for this when it  
5 | came. All the New Testament writers write about this,  
6 | you know, Christ mediates.

7 |               What does he mediate? He mediates the Seven  
8 | Seals. What are they? Peter says in the last days  
9 | you'll know.

10 |               BYRON: Okay.

11 |               DAVID KORESH: But anyway, during these hours  
12 | between 2 and 3 is the evening part of that worship.  
13 | So, you know, it's something that --

14 |               BYRON: That's some coincidence here, David.

15 |               DAVID KORESH: -- we hope that you respect  
16 | and I respect because, like I say, I don't condemn you  
17 | for your worship. I don't condemn anybody or any  
18 | religion. They don't know what they're doing, that's  
19 | what my statement is. They don't know the seals,  
20 | they're not completely complete in Christ, they still  
21 | need grace. And this is what's being mediated in  
22 | regards to our position is what are we going to do,  
23 | what's my position with God, what have I learned in 33  
24 | years of life, what is it really like down here, you  
25 | know, what is the problem with the minds of men in this  
   | generation?



1           You know, this is the way God is. This is  
2 the ministration of Melchizedek, God in the flesh, you  
3 know. What's it really like from your point of view?

4           BYRON: David, you, you mentioned that  
5 it's -- that your daily devotional is between 2 to 3.  
6 It's, it's not -- Are you there?

7           DAVID KORESH: I'm here.

8           BYRON: It's not pure coincidence that we,  
9 that we came upon the time of 3:00. That's out of  
10 respect for your devotionals.

11          DAVID KORESH: Right.

12          BYRON: Okay? Our buses are here. The  
13 drivers are not in devotionals, but I guarantee you  
14 that we're devoted to a safe resolution of this matter.  
15 Three o'clock, three-thirty if need be. In fact, you  
16 are still -- you're in a position where you can, you  
17 can go into those devotionals -- I don't know if  
18 they're, if they're individual devotionals or as a  
19 group.

20          DAVID KORESH: I've not been able to teach  
21 classes lately.

22          BYRON: Okay. But now is your opportunity to  
23 teach a very important message, and that is going to be  
24 trust, and we will live up to that trust. But let's  
25 get some of those people coming out. And again, I  
personally wish that you were at the, the head of this,

1 | this first group. But I, I can understand that.

2 |           DAVID KORESH: Mr. Byron, just be sure as  
3 | you, as you review the, the book that you, that you say  
4 | you believe --

5 |           BYRON: I don't say I believe it. That comes  
6 | from my heart, not from my --

7 |           DAVID KORESH: Well, I know. What I'm saying  
8 | is I'm saying that, you know, I, I believe that what  
9 | you're saying is in sincerity, but what I'm saying is  
10 | that it comes to the point of understanding what we're  
11 | reading. And it just so happens that God tells the  
12 | prophets to seal their book till the time of the end.  
13 | A lot of things in the prophecies that is not given to  
14 | men to understand until the time.

15 |           BYRON: Okay.

16 |           DAVID KORESH: So that's just the truth.

17 |           BYRON: I understand that.

18 |           DAVID KORESH: And that's why the seals are  
19 | so important. So in all due respect, please, in behalf  
20 | of God, the part of God you don't know yet, and no man  
21 | knows God totally, we all agree on that --

22 |           BYRON: Okay.

23 |           DAVID KORESH: -- make sure that in your own  
24 | personal experience you're not found fighting against  
25 | God, because, you know, I, I would love to show you  
these seals. And in all due respect, respect one thing

1 of us, and that is when I say that my God's told me to  
2 wait, I have to wait.

3 BYRON: That's --

4 DAVID KORESH: And the thing of it is is that  
5 those who are waiting on my God have to make their  
6 individual decision.

7 BYRON: David --

8 DAVID KORESH: There are people here who are  
9 afraid. I'm not afraid. I'm not afraid of you, man,  
10 or anything.

11 BYRON: I understand that. I respect that.

12 DAVID KORESH: But they are being tested  
13 likewise because there were some who did choose to come  
14 out. They are afraid, you know. They, they are not  
15 confirmed in every respect to what God has stated.

16 BYRON: And if they, if they are strong in  
17 their faith, let them, let them show that by having  
18 the, the strength to come out and, and test what I'm  
19 telling you. I'm telling --

20 DAVID KORESH: Well --

21 BYRON: Please, let me finish. We need to  
22 get something going today. This -- You and I both need  
23 to demonstrate that we can get this thing moving.  
24 We've, we've been at a stalemate, basically, and I'm  
25 not saying that it's, that it's your fault. Maybe, to  
a large extent, it's our fault, but we've been at a

1 | stalemate for the last basically two weeks. You, you,  
2 | you are the leader that saw fit to ensure the safety of  
3 | those children. You are the leader that saw fit to  
4 | ensure the safety of the two elderly ladies that came  
5 | out that were -- All of them have been testaments to  
6 | the quality and the teachings that you have.

7 |           Bring forth more and the time is now. Okay?  
8 | We've got the -- The buses are here. I will personally  
9 | oversee -- I'll be on the microphone, for crying out  
10 | loud, showing you that, that these people are, are --  
11 | that we're ready to receive them. We'll, we'll work  
12 | out whatever is best for you as far as, as trying to,  
13 | to have a safe, I stress safe, and orderly exit of  
14 | those people that, that you direct to come out of that  
15 | compound.

16 |           Now, David, you know as well as I do, you  
17 | know as well as I do that if you instruct them to go,  
18 | they will go forth. There's no question in your mind,  
19 | there's no question in mine.

20 |           DAVID KORESH: If I received that from my  
21 | father, that's what they would do.

22 |           BYRON: Right.

23 |           DAVID KORESH: But I have not received --

24 |           BYRON: David --

25 |           DAVID KORESH: -- that call.

          BYRON: David, please, you need to realize --

1 | And I respect what you're saying, but you need to  
2 | realize that we need to find some common ground here.

3 |               DAVID KORESH: Yes, we do.

4 |               BYRON: We need to show that there are still  
5 | options open, that they didn't close up two weeks ago  
6 | because of, of whoever's actions. That's history.  
7 | We're talking now.

8 |               DAVID KORESH: Yeah, we are talking now.

9 |               BYRON: Okay? The buses are here. The  
10 | medical treatment is, is available. We are ready to  
11 | live up to our end of the bargain. Let's meet halfway.

12 |               DAVID KORESH: Why don't you talk with  
13 | individuals here? Like I said, I, I've got, I've got  
14 | to leave. Not that I'm trying to cut you off, it's  
15 | just that it's, it's a biological thing. A physical  
16 | thing.

17 |               BYRON: David, I'd be happy to, to talk to  
18 | those people, but let me, let me do this. I'll talk to  
19 | those people when they come out. Okay? I've got --  
20 | Believe it or not, I can directly relate to what you're  
21 | talking about 'cause I have the same particular call of  
22 | nature at this moment.

23 |               DAVID KORESH: Right.

24 |               BYRON: Let's get this resolved. Let's bring  
25 | the people out. We'll meet them, we'll take care of  
   | them, we'll -- If you want a representative, you name

1 | him, we'll have him give you a call back and ensure  
2 | that they give you the same indication that they've  
3 | been treated properly. What we've told you, David, we  
4 | stand behind. I've not lied to you. None of the  
5 | negotiators have lied to you, nor will they.

6 |           DAVID KORESH: We never got our magazines.

7 |           BYRON: We, we never got your departure from  
8 | the --

9 |           DAVID KORESH: Uh, uh, uh, that was far after  
10 | that.

11 |           BYRON: Pardon me?

12 |           DAVID KORESH: No, no, no. The magazine deal  
13 | was an agreement made far after that event.

14 |           BYRON: I -- Let me tell you this. If we can  
15 | show some progress on this, I am absolutely certain  
16 | that I can convince --

17 |           DAVID KORESH: Here, here's Steve. I've got,  
18 | I've got to go. I'm sorry, I don't mean to be rude,  
19 | but I have to go for right now. Okay?

20 |           BYRON: David, do we have an understanding.

21 |           DAVID KORESH: Yeah. Well, I understand what  
22 | you're saying and I hope you understand what I'm  
23 | saying.

24 |           BYRON: Do we have an understanding? Can we  
25 | get some people out? I need to be able to show my  
boss --

1               DAVID KORESH: Here, here's, here's Steve  
2 real quick.

3               BYRON: -- we've done something. [gap]  
4 Steve? Hello?

5               STEVE SCHNEIDER: Okay.

6               BYRON: Steve?

7               STEVE SCHNEIDER: Yes.

8               BYRON: Interesting discussion. Is this on a  
9 speaker phone? Could you understand what we were  
10 talking about?

11              STEVE SCHNEIDER: No, I couldn't. I didn't  
12 hear anything, other than, you know, what he was  
13 saying. It's not on the speaker phone.

14              BYRON: Okay.

15              STEVE SCHNEIDER: But what I heard --

16              BYRON: I'm hoping, Steve, that we, that we  
17 came to an understanding where we can get something  
18 started, that we -- The buses are there right now. You  
19 can look out the window. They're down by, what do you  
20 call it, the Y or the T or --

21              STEVE SCHNEIDER: Okay.

22              BYRON: Actually, I think we've got, we've  
23 got enough buses positioned in both places to ensure  
24 that you can see them. Do you remember where we had  
25 the safe and orderly transition of a number of  
children?

1                   STEVE SCHNEIDER: Yes.

2                   BYRON: A number of children, down by the  
3 water towers?

4                   STEVE SCHNEIDER: Yes, I do.

5                   BYRON: We can do it there. You, you call  
6 where, where you want it and we will work with our  
7 people to ensure mutual safety and we'll get this done.  
8 But we need to do it now. Kids, women, men, yourself.  
9 You and I have talked eye to eye and I'm telling you  
10 that -- I'm assuring you that I'm telling you the  
11 truth, but I -- Steve, are you in a position to talk  
12 there or are there several people around or --

13                  STEVE SCHNEIDER: Yes. No, no, I'm  
14 listening. In fact, you know, I don't want to  
15 interrupt you when you're, you know, opening it up and  
16 laying it out.

17                  BYRON: Okay. Well, let me lay this out for  
18 you.

19                  STEVE SCHNEIDER: All right.

20                  BYRON: You and I are in the same boat.  
21 You're between a rock and a hard spot trying to get  
22 things accomplished, and I genuinely believe that.

23                  STEVE SCHNEIDER: Okay.

24                  BYRON: You've got to deal with your  
25 commander, be that David, God, whatever. I'm dealing  
with my commander who's not quite as powerful, but



1 almost. All right? I've got to show him that we're  
2 making progress here in order -- And please listen to  
3 this and understand this is not a threat.

4 STEVE SCHNEIDER: Um-hum.

5 BYRON: But there -- I have got to be able to  
6 show him that we still have some options, that things  
7 have not closed, whether it was our fault, your fault.  
8 Who cares? That's history. I've got to show him that  
9 the options are still there, 'cause, Steve, if we don't  
10 get off the mark, those options are closing for you and  
11 for me. I don't want to see that happen. But we  
12 haven't demonstrated -- we, you and I, have not  
13 demonstrated other than the fact that both of us have  
14 enough testicle fortitude to meet out in the middle of  
15 a road, however -- whatever that displays.

16 That we've got mutual trust in one another,  
17 that's good. I'm not downplaying that. But we don't  
18 have -- We haven't gotten anybody else out of that  
19 compound now, nobody, in days. And when I go in hat in  
20 hand saying look, we're having wonderful conversations  
21 and I've made a new friend, well, that's, that's all  
22 warm and fuzzy, but that is not progress as far as my  
23 commanders are concerned, that, that they want to  
24 accept this as the best we can do.

25 Now, I may be happy about it and I may be  
proud of it, but we've got to get some people out of

1 | there. And I have absolutely no problem in meeting you  
2 | and facilitating getting them out. We've got buses  
3 | here, we've got medical attention here. And I  
4 | apologize if I'm repetitious because I don't know how  
5 | much of it you heard when I was talking to David.

6 |           STEVE SCHNEIDER: I, I actually didn't hear  
7 | anything. In fact, from what I'm hearing from you now  
8 | is something that I wouldn't have guessed he was  
9 | replying to by the things he was saying. So this, you  
10 | know, I couldn't tell what you were actually saying at  
11 | all.

12 |           BYRON: Okay. What I told him, Steve, is  
13 | that we have arranged for buses. We've got three buses  
14 | we can bring more.

15 |           STEVE SCHNEIDER: Were you telling him that  
16 | then?

17 |           BYRON: Yes, sir.

18 |           STEVE SCHNEIDER: And how was he reacting to  
19 | that?

20 |           BYRON: He, he was reacting, I'm hoping,  
21 | favorably, until the call of the wild hit him, and I'm  
22 | sitting here --

23 |           STEVE SCHNEIDER: Right.

24 |           BYRON: -- resisting it.

25 |           STEVE SCHNEIDER: Which is true. You know,  
he did have to go use the facilities.

1               BYRON: I understand that. That's fine.

2 We've all got human needs. We want to be --

3               STEVE SCHNEIDER: He's very --

4               BYRON: Steve, we want to be able to address  
5 all of your human needs. We want to get you -- That  
6 place can't be comfortable. It's been cold.

7               STEVE SCHNEIDER: Right. He started, he  
8 started bleeding I think probably, 'cause he did get up  
9 and start walking around. He walked down to the phone  
10 where I'm at here, and just now he said he had to  
11 leave. He said he was bleeding. So I, I didn't  
12 realize that.

13              BYRON: Steve, you all are, are over your  
14 daily devotionals at 3:00. Is that correct?

15              STEVE SCHNEIDER: That's correct.

16              BYRON: Okay. I told him that the buses  
17 would be here by 3. They're already here. You can  
18 look out the window, you can see them at the -- down at  
19 the Y and down here by the, by the water towers.

20              STEVE SCHNEIDER: And when you said that to  
21 him, what did he tell you?

22              BYRON: He was receptive to that. Now, I, I  
23 hope he's receptive to it -- And I'm not going to stand  
24 here and tell you that he said fine, we'll fill them  
25 up, but I tell you -- I'm telling you, just as I told  
him, we need to show some motion here. We need to show

1 | some movement. And, Steve, let's, let's cut to the  
2 | chase here. You know as well as I do that if David  
3 | says, and probably if you say, any of you that, that  
4 | are ready to go, let's go.

5 |           And those that have some resistance, if he  
6 | instructs them to go, they're gone. Well, we're -- we  
7 | stand ready to receive them. We also stand ready to,  
8 | to, to try to help Judy out with her, with her hand and  
9 | finger and, and everything else. Can you hold on just  
10 | a second?

11 |           STEVE SCHNEIDER: Sure.

12 |           BYRON: Hold on. [gap] Steve, are you  
13 | there?

14 |           STEVE SCHNEIDER: Yes.

15 |           BYRON: Just got a message handed to me, and  
16 | I'm out -- I'm right around the corner from you, so I  
17 | haven't gotten this directly from downtown, but I'm  
18 | informed that Kathy Schroeder was just released on  
19 | bond. Now, I'm sure you have an interest in that.

20 |           STEVE SCHNEIDER: Um-hum.

21 |           BYRON: This, this should just be a further  
22 | testament as to the treatment, the fairness of the  
23 | system.

24 |           STEVE SCHNEIDER: Who did he -- Who was she  
25 | arraigned before? Who did she come before as a judge?

          BYRON: I think she went before -- And it's

1 my understanding all of her proceedings have been  
2 before Dennis Green, who is the magistrate that signed  
3 these -- And again, I'll digress.

4 STEVE SCHNEIDER: Okay.

5 BYRON: Among the things that I have brought  
6 out here that I wanted to be able to give to you face  
7 to face, and I still want to --

8 STEVE SCHNEIDER: Okay.

9 BYRON: -- are copies of the search warrant.  
10 Have I mentioned this to you?

11 STEVE SCHNEIDER: Yeah.

12 BYRON: Search warrant and arrest warrant.

13 STEVE SCHNEIDER: All right.

14 BYRON: They're signed by Dennis Green. Both  
15 of them -- Let me double check to make sure I'm  
16 accurate. Both of them on the 25th.

17 STEVE SCHNEIDER: Twenty-fifth of February?  
18 Both arrest -- Both the search warrant and arrest were  
19 signed by -- both warrants by Dennis Green then?

20 BYRON: That's correct.

21 STEVE SCHNEIDER: Okay.

22 BYRON: On the 25th of February, well in  
23 advance of the anticipated raid. That's when  
24 everything was -- That's when the affidavit which  
25 supports the search warrant and the arrest warrant was  
sealed. Now, Wayne had expressed a concern about the

1 | sealing of these documents and so forth.

2 |           STEVE SCHNEIDER: That's my understanding.

3 |           BYRON: As a violation of his constitutional  
4 | rights. The only thing that's sealed, and remains  
5 | sealed until you all are arraigned, taken before the  
6 | appropriate magistrate and arraigned and your  
7 | identities substantiated and the specific charges read  
8 | to you and, and your counsel appointed and everything  
9 | else, that -- the only thing that's sealed is the  
10 | affidavit. And the reason for that is, is concern  
11 | about the ongoing safety of like the undercover agent,  
12 | that you already know apparently, and I don't know.

13 |           I've never talked to the man. But you've  
14 | told me more times than I've heard from anywhere else  
15 | about the fact that there was an undercover ATF agent.

16 |           STEVE SCHNEIDER: Um-hum.

17 |           BYRON: And I've, I've glanced over the, the  
18 | affidavit as part of the, the general investigative  
19 | package that's available to the commanders, just so  
20 | that we'll know, so that my commander is fully informed  
21 | as to the lawfulness, and I stress this, the lawfulness  
22 | of the search, or the attempted search, and the  
23 | lawfulness of the attempted arrest warrant. Because if  
24 | it was unlawful, that'd be an area we'd have interest  
25 | in investigating ourselves.

          But anyhow, that's still, that's still

1 | sealed. So what I'm able to bring forth to you is a  
2 | copy of the arrest warrant and the search warrant.  
3 | Now, she's been, she's been released on bond as of -- I  
4 | mean, I just got the message when I asked you to hold  
5 | on.

6 |               STEVE SCHNEIDER: Okay.

7 |               BYRON: What we need to do --

8 |               STEVE SCHNEIDER: How much -- What's her  
9 | bond?

10 |              BYRON: I didn't get a, I didn't get an  
11 | indication as to how much the bond was, but she, she's  
12 | out on bond. May well have been on her personal  
13 | recognizance, but I don't know and I'm not going to  
14 | tell you something I don't know. I'm not --

15 |              STEVE SCHNEIDER: Well, you know, of course,  
16 | he would be interested to know even that.

17 |              BYRON: Sure.

18 |              STEVE SCHNEIDER: And where she might -- Is  
19 | she -- Where is she at now? Did she leave the premises  
20 | of the county jail or --

21 |              BYRON: Steve, yes, she's out on bond. She's  
22 | sure not going to -- I don't think she's going to  
23 | recreate at the county jail.

24 |              STEVE SCHNEIDER: Do you know where she might  
25 | be headed or --

              BYRON: We can try to find out. Or better

1 | yet, you can find out when you all come out. We'll  
2 | reunite you. And, and that's not a, that's not a  
3 | frivolous statement. We're ready to do that. But  
4 | talk's cheap. You know what I mean?

5 |               STEVE SCHNEIDER: Um-hum.

6 |               BYRON: It's time now to come forward so that  
7 | I can, I can continue to deal with good faith with you,  
8 | but I can continue to walk in the door without getting  
9 | my head bit off by my -- by the commander of this  
10 | thing. Let's get something done. We've got the buses  
11 | here, we've got the ambulances ready, we've got legal  
12 | counsel and representation waiting for you. Your daily  
13 | devotional is over in 15 minutes. We're here, we're  
14 | ready. I don't know what else we can do. All right?

15 |               STEVE SCHNEIDER: Okay.

16 |               BYRON: Okay. The negotiators are -- And I'm  
17 | still on a patch with you, so the negotiators are still  
18 | back at the command post. Steve, please, now we've had  
19 | misunderstandings before as far as who's going to call  
20 | who and what kind of time limits. Get back to us.  
21 | It's 10 minutes of 3. Get back to us by -- What's,  
22 | what's good for you, 3:10?

23 |               STEVE SCHNEIDER: That's a little bit soon  
24 | because, remember, there's a lot of people here.

25 |               BYRON: Right.

              STEVE SCHNEIDER: And there would have to be



1 a lot of conversation. They're all over the premises.

2           BYRON: Well, let's get -- Gather them --  
3 Steve, we're not, we're not trying -- This is not any  
4 kind of -- to try to get them all in one space, but get  
5 together with these people and let them know. We stand  
6 ready to accept them right now and treat them properly.

7           STEVE SCHNEIDER: I'll tell them that.

8           BYRON: Let's, let's get them -- Let's get  
9 this worked out. And I want to, I want to help  
10 participate in this thing. Okay? I will be, I'll be,  
11 I'll be in a position to -- You can tell I've got a  
12 couple of --

13           STEVE SCHNEIDER: Right.

14           BYRON: -- conversations going here.

15           STEVE SCHNEIDER: Right, I can tell.

16           BYRON: I'm in a position to be able to, to  
17 announce this, to, to help coordinate it from out here.  
18 I'm already here. I'm out here right around the  
19 corner, waiting to work with you on this thing. So  
20 whatever I can do to facilitate it from this end, I'll  
21 do it. The negotiators that are also on the line down  
22 there at the command post, which is, is down in Waco,  
23 they stand ready to facilitate it and coordinate it,  
24 just like you were able to do so skillfully early on in  
25 this thing, when you and I walked those people out.

          And you remember that and so do I. We can do

1 | it again, and it's time to do it right now. But we'll  
2 | give you time to go talk to the people, but, please,  
3 | Steve --

4 |               STEVE SCHNEIDER: Okay.

5 |               BYRON: -- it's getting dark. We want to do  
6 | this in an orderly fashion where you all are  
7 | comfortable and we're comfortable. One of the reasons  
8 | for those lights that are out there --

9 |               STEVE SCHNEIDER: Um-hum.

10 |              BYRON: -- remember all the, the misgivings  
11 | that you all had when we were trying to get the -- I  
12 | think it was the fifth and sixth child released?  
13 | Nobody wanted them to walk down to that -- to the T in  
14 | the road -- road because you guys were seeing what you  
15 | thought were, were, you know (indiscernible) the dark  
16 | and we were seeing the same thing.

17 |              STEVE SCHNEIDER: Byron, you know that's not  
18 | the reason why the lights are like 50 feet away from  
19 | the building.

20 |              BYRON: Steve, that's part of it.

21 |              STEVE SCHNEIDER: But you know that's not --

22 |              BYRON: And it might be hard for you to  
23 | understand, but --

24 |              STEVE SCHNEIDER: It is not, it is not, not  
25 | because the children needed to walk down a road and get  
   | into a, a vehicle or anything. It's -- You have other

1 motives and reasons for it. I don't know totally what  
2 they might be, but I could second guess --

3 BYRON: Steve, the bottom line, the bottom  
4 line is safety, and that's what I'm telling you.

5 STEVE SCHNEIDER: For who? That's the  
6 question.

7 BYRON: For everybody.

8 STEVE SCHNEIDER: Okay.

9 BYRON: We're here -- I'm committed -- We're  
10 all here committed to try to get you all out of there  
11 safe, without any harm coming to either side. There's  
12 already been enough harm. There's already been enough  
13 blood shed. There's already been enough loss of life.  
14 We don't need any of that anymore. You don't need  
15 it --

16 STEVE SCHNEIDER: Never wanted it.

17 BYRON: -- and we don't need it.

18 STEVE SCHNEIDER: Never wanted it.

19 BYRON: Hey, everybody that's involved in  
20 this thing now is in the same boat. You didn't bring  
21 it on yourself, we didn't bring it on. You've got the  
22 FBI here handling it now and we will ensure to you an  
23 orderly transition of this matter. Let's get it into  
24 the court system. Talk to your people. It's almost 5  
25 minutes of 3 now. What do you think, 3:30? Time's --

STEVE SCHNEIDER: Four o'clock.

1           BYRON: Steve, 4:00 is too late because it  
2 starts getting dark at 6.

3           STEVE SCHNEIDER: There's over 100, there's  
4 over 100 people here, though.

5           BYRON: Can't you gather them together?  
6 Don't you have a --

7           STEVE SCHNEIDER: No, because they're all  
8 over the place and the program here is, you know, that  
9 hasn't been done, nor will it be done at this point of  
10 time. So I'd have to go one end to another and all  
11 over.

12           BYRON: David -- David, excuse me.  
13 Obviously, he's on my mind, too. Steven, 4:00 at the  
14 latest. Okay?

15           STEVE SCHNEIDER: All right.

16           BYRON: And that's not an ultimatum, that's a  
17 plea.

18           STEVE SCHNEIDER: No, I know. I --

19           BYRON: Because -- Now, please bear this in  
20 mind, okay? These -- I think -- I haven't seen them,  
21 but they're -- Oh, I do see them. They're like school  
22 buses, so that's the size that you're talking about.

23           STEVE SCHNEIDER: I've seen them also from,  
24 you know, in the distance many times.

25           BYRON: Good.

          STEVE SCHNEIDER: I do know what you're

1 | talking about.

2 |           BYRON: So, so that's -- Basically, you're  
3 | talking about several people per bus. So, please,  
4 | let's, let's put a significant effort into this and you  
5 | and I, I think, can start the, the flow that we were  
6 | trying to do before. And whether we, we messed it up,  
7 | again, that's history. Okay? Let's, let's not mess it  
8 | up today is the point.

9 |           STEVE SCHNEIDER: I'll talk --

10 |           BYRON: Please.

11 |           STEVE SCHNEIDER: Okay, I'll talk to you at  
12 | 4.

13 |           BYRON: Okay. Go ahead and call the normal  
14 | number and they can -- And I'll tell you, I'm going to  
15 | go ahead and stay on here forward, so that I can help  
16 | facilitate this thing.

17 |           STEVE SCHNEIDER: All right.

18 |           BYRON: But, Steve, let's do this.

19 |           STEVE SCHNEIDER: I will do what I can.

20 |           BYRON: You and I can do this.

21 |           STEVE SCHNEIDER: I'll be doing my part.

22 |           BYRON: Okay, buddy.

23 |           STEVE SCHNEIDER: Okay.

24 |           BYRON: Talk to you later.

25 |           STEVE SCHNEIDER: Okay, bye.

          BYRON: Bye.

(End of Tape 6x.)

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